

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
COMMONWEALTH OF KENTUCKY

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1928

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE COMMONWEALTH OF KENTUCKY.

TUESDAY, JANUARY 3, 1928.

At a General Assembly of the Commonwealth of Kentucky, begun and held at the Capitol in the city of Frankfort, on Tuesday the third day of January, in the year of Our Lord, One Thousand Nine Hundred and Twenty-eight, and the One Hundred and Thirty-sixth year of the Commonwealth, that being the day fixed by the Constitution for the meeting thereof, Charles J. Howes, Chief Clerk of the House of Representatives for the session last past, called the House to order and after prayer by the Reverend Father E. G. Klosterman of the Roman Catholic Church of Frankfort, Kentucky, called the roll of the members and the following members answered to their names, viz:

W. B. Ardery	W. G. Buckner	J. R. Dorman
J. Curtis Alcock	S. J. Bunker	E. J. Doss
A. L. Allen	Sam P. Burnam	W. M. Duncan
S. E. Anderson	E. L. Campbell	Thos. J. Dunn
W. O. Bach	J. G. Campbell	D. E. Edwards
Walter J. Bailey	Chas. B. Carver	J. W. Edwards
A. J. Baldridge	Harry Cochran	J. O. Evans
W. O. Baxter	John Cooper	Virgil Eversole
T. H. Benton	J. O. Creech	Chas. H. Fair
W. P. Bowman	C. B. Crossland	W. J. Fisher
Thos. L. Britton	Moorman B. Daniels	J. C. Flener

Duke W. Fowler	Lester Jeter	J. G. Prather
Chas. B. Fulton	T. M. Johnson	Levi W. Powell
J. B. Furlong	John C. Kemper	W. H. Pryor
F. A. Gnau	John B. Klefot	B. A. Robertson
R. C. Graham	J. Porter Land	C. W. Ryans
W. T. Green	S. D. Laughlin	Vernon Shuffett
E. L. Hagan	Leon P. Lewis	Charles Smith
A. L. Hall	Wm. McClave	S. G. Smith
John G. B. Hall	Clark Macdonald	Daniel Boone Smith
T. W. Hardesty, Jr.	J. L. McKnight	M. E. Sparks
Herman Handmaker	Wm. McRohan	Dan Stamper
Brooks L. Hargrove	J. L. Manning	Frank L. Strange
C. W. Hawkins	C. C. May	J. G. Swearingen
Joseph M. Hayse	Luther Morse	Mac Swinford
Phillip Helf	Henry Meiman	J. B. Taylor
J. R. Hobbs	Harry J. Meyers	E. G. Thomas
J. S. Hollan	E. B. Miller	C. F. Thornton
H. B. Holland	John S. Millikin	P. H. Vincent
S. K. Holland	L. P. Murphy	J. C. Watkins
Ira L. Horn	James H. Muse	L. M. Weathers
Robt. L. Horn	L. C. Nell	J. A. White
Josephus Howard	Andrew Nichols	
W. F. Hunter	J. H. Payne	

The oath of office was then administered to each and all of said members by The Hon. William Rogers Clay, Chief Justice of the Court of Appeals.

The said Chief Clerk then announced that the election of a Speaker of the House of Representatives was in order.

Mr. Crossland named The Hon. John S. Millikin of the County of Simpson as a suitable person to fill said office.

Mr. D. B. Smith named The Hon. C. W. Ryan of the city of Louisville and County of Jefferson as a suitable person to fill said office.

The vote being taken between those names, resulted as follows, viz.:

For Hon. John S. Milliken—

W. B. Ardery	J. B. Furlong	Wm. McRohan
J. Curtis Alcock	F. A. Gnau	C. C. May
W. O. Bach	R. C. Graham	Henry Meiman
Walter J. Bailey	E. L. Hagan	Harry J. Meyers
W. O. Baxter	A. L. Hall	E. B. Miller
W. G. Buckner	John G. B. Hall	L. P. Murphy
S. J. Bungler	Brooks L. Hargrove	Andrew Nichols
Chas. B. Carver	C. W. Hawkins	J. H. Payne
Harry Cochran	J. R. Hobbs	J. G. Prather
C. B. Crossland	J. S. Hollap	B. A. Robertson
Moorman B. Daniels	H. B. Holland	C. W. Ryans
J. R. Dorman	S. K. Holland	Charles Smith
E. J. Doss	Robt. L. Horn	M. E. Sparks
W. M. Duncan	Josephus Howard	Frank L. Strange
Thos. J. Dunn	Lester Jeter	Mac Swinford
D. E. Edwards	T. M. Johnson	C. F. Thornton
J. W. Edwards	John C. Kemper	P. H. Vincent
J. O. Evans	John B. Klefot	J. C. Watkins
W. J. Fisher	Porter J. Land	L. M. Weathers
Duke W. Fowler	S. D. Laughlin	
Chas. B. Fulton	Leon P. Lewis	

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For Hon. C. W. Ryans—

S. E. Anderson	Virgil Eversole	Wm. McClave
A. J. Baldridge	Chas. H. Fair	Clark Macdonald
T. H. Benton	J. C. Flener	J. L. McKnight
W. P. Bowman	W. T. Green	J. L. Manning
Thos. L. Britton	T. W. Hardesty, Jr.	Luther Morse
Sam P. Burnam	Herman Handmaker	John S. Millikin
E. L. Campbell	Joseph M. Hayse	James H. Muse
J. G. Campbell	Phillip Helf	Levi W. Powell
John Cooper	Ira L. Horn	W. H. Pryor
J. O. Creech	W. F. Hunter	Vernon Shuffett

Daniel Boone Smith	J. G. Swearingen	J. A. White
S. G. Smith	J. B. Taylor	
Dan Stamper	E. G. Thomas	

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Mr. Millikin having received a majority of the votes cast, a majority of all the members elected being present and voting, was declared duly elected Speaker of the House of Representatives.

The Chief Clerk aforesaid appointed Messrs. Crossland and D. B. Smith as a Committee to inform the Speaker-elect of the action of the House and to escort him to the Chair.

The Speaker returned his thanks to the House for the honor conferred, recommended and urged the proper observance of order and decorum and announced that he was now ready to take the oath of office, which said oath was administered to him by the Hon. William Rogers Clay, Chief Justice of the Court of Appeals.

The Speaker then announced that the next order of business was the election of a Chief Clerk of this House.

Mr. Myers moved that it is the sense of this House that Mr. Crossland, representing the majority membership of the House, be requested to name suitable persons for the various minor offices to be filled by said House.

Said motion was agreed to.

Thereupon Mr. Crossland named C. J. Howes of the County of Franklin as a suitable person for Chief Clerk of this House;

Clifford W. Thomas of the County of Trigg, for Assistant Clerk;

C. W. Longmire of the County of Franklin for Sergeant-at-Arms;

Miss Nancy Wilhoite of the County of Owen for Enrolling Clerk;

B. L. Cox of the County of Anderson for Door-keeper;

Robert F. Hamilton of the County of Meade and Jimmie Triplett of the County of Franklin, for Cloak-room-keepers;

Lonnie Smith of the County of Trimble for Janitor;

Miss Virginia Strange of the County of Warren, Miss Anna Craig Paine of the County of Ballard, Dowling Nichols of the County of Franklin and Robert Holland of the County of Marshall, for pages.

There being no further nominations for said offices, Mr. Myers moved that the Speaker of the House be authorized and directed to cast one vote for the entire House, for all those parties above named to fill the offices set opposite their names.

The Speaker having cast one vote for the House as above directed, declared said parties duly elected to said offices.

Thereupon all of the said officers above named appeared before the bar of the House and took the oath of office as required by the Constitution and laws of Kentucky which was administered by the Hon. William Rogers Clay, Chief Justice of the Court of Appeals.

Mr. Hawkins moved that the privileges of the floor be extended to the Hon. Shelby Martin, a former member of this House.

Said motion was agreed to.

Mr. Crossland offered the following Resolution, viz.:

Be It Resolved by the House of Representatives:

That a Committee of this House be appointed by the Speaker to wait upon the Senate and notify that body that this House is now organized and ready to proceed to the transaction of business and that said Committee shall in conjunction with a like Committee to be appointed from the Senate wait upon the Governor and inform him that this General Assembly is now organized and ready to receive any communication he may have to make.

Said Resolution was adopted.

Mr. Murphy offered the following Resolution, viz.:

Be It Resolved by the House of Representatives:

That the Rules governing the House of Representatives during the regular session of 1926 be and the same are hereby adopted as the Rules of this House until new Rules shall have been drafted and adopted by this House.

Said Resolution was adopted.

Mr. S. K. Holland offered the following Resolution, viz.:

Be It Resolved by the House of Representatives:

That the Sergeant-at-arms be directed to invite the white Pastors of the various Churches to attend the meetings of this House and open the sessions thereof with prayer.

Said Resolution was adopted.

Mr. Dorman offered the following Resolution, viz.:

Be It Resolved by the House of Representatives, the Senate Concurring Therein:

That when this House adjourn today said adjournment be until Monday, January 9, 1928, at one o'clock P. M.

Said Resolution was adopted.

After a time a message was received from the Senate announcing that they had concurred in said Resolution.

Mr. Alcock offered the following Resolution, viz.:

Be It Resolved by the House of Representatives:

That the Speaker be authorized and directed to appoint a Committee to be composed of members to be known as the Committee on Rules, of which the Speaker shall be ex-officio member and Chairman and,

Be It Further Resolved That the speaker be and is hereby authorized to appoint all other standing Committees of this House.

Said Resolution was adopted.

In accordance with the provisions of a Resolution heretofore offered by Mr. Crossland and adopted by the House, the Speaker appointed Messrs. Crossland, Ryan, Ardery, Swinford and Dorman as a Committee to carry out of the provisions of said Resolution.

After a time Mr. Ryans of said Committee reported that they had discharged their duties in accordance with said Resolution and that the Governor, Honorable Flem D. Sampson, authorized said Committee to advise the House that he would have a communication to make to said House, in joint session with the Senate at a later date.

The Chief Clerk of the House announced that he had received notice of contest in the case of A. M. Mercer vs. Vernon

Shuffett from the Legislative District, comprising the Counties of Green and Hart.

Mr. H. B. Holland moved that seven members be selected in accordance with the requirements of the Constitution and Statutes of Kentucky to determine the contest in said case and to make a report to this House and that the Clerk be directed to proceed with the selection of said Committee in conjunction with the Speaker of this House.

Said motion was agreed to.

The Speaker then announced that the House would proceed according to law and pursuant to the provisions of the motion above set out to select by lot seven of its members to constitute a board to determine a contest to the right to a seat in this House, as Representative from the Counties of Green and Hart in the case of A. M. Mercer, Contestant, vs. Vernon Shuffett, Contestee.

The names of the members present were written on separate pieces of paper, rolled and placed in a box by the Clerk in the manner provided by law, who, after the same had been well shaken, drew the names of seven members of the House therefrom, separately, which were opened and read aloud by the Speaker of the House, viz.:

Messrs. J. R. Hobbs, E. L. Hagan, D. E. Edwards, J. O. Creech, W. B. Ardery, L. W. Powell and H. B. Holland.

Whom the Speaker declared members of said board.

Thereupon the said members of said board appeared before the bar of the House and took the oath of office as required by law.

Mr. Hayse moved that this House do now adjourn, until next Monday, January 9, at one o'clock P. M.

Said motion was agreed to.

And then the House adjourned.

MONDAY, JANUARY 9, 1926.

The House was opened with prayer by the Reverend Chesterfield Turner of the First Baptist Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	J. R. Dorman	T. W. Hardesty, Jr.
A. L. Allen	E. J. Doss	Herman Handmaker
W. B. Ardery	W. M. Duncan	Brooks L. Hargrove
W. O. Bach	Thos. J. Dunn	C. W. Hawkins
Walter J. Bailey	D. E. Edwards	Joseph M. Hayse
A. J. Baldrige	J. W. Edwards	Phillip Helf
W. O. Baxter	J. O. Evans	J. R. Hobbs
T. H. Benton	Virgil Eversole	J. S. Hollan
W. P. Bowman	Chas. H. Fair	H. B. Holland
Thos. L. Britton	W. J. Fisher	S. K. Holland
S. J. Bunger	J. C. Flener	Ira L. Horn
Sam P. Burnam	Duke W. Fowler	Robt. L. Horn
E. L. Campbell	Chas. B. Fulton	Josephus Howard
J. G. Campbell	J. B. Furlong	W. F. Hunter
Chas. B. Carver	F. A. Gnau	Lester Jeter
Harry Cochran	R. C. Graham	T. M. Johnson
John Cooper	W. T. Green	John C. Kemper
J. O. Creech	E. L. Hagan	John B. Klefot
C. B. Crossland	A. L. Hall	Porter J. Land
Moorman B. Daniels	John G. B. Hall	S. D. Laughlin

Leon P. Lewis	L. C. Nell	Dan Stamper
Wm. McClave	Andrew Nichols	Frank L. Strange
J. L. McKnight	J. H. Payne	J. G. Swearingen
Wm. McRohan	J. G. Prather	Mac Swinford
Clark Macdonald	W. H. Pryor	J. B. Taylor
J. L. Manning	B. A. Robertson	E. G. Thomas
Luther Morse	C. W. Ryans	C. F. Thornton
C. C. May	Vernon Shuffett	P. H. Vincent
Henry Meiman	Charles Smith	J. C. Watkins
Harry J. Meyers	Daniel Boone Smith	L. M. Weathers
E. B. Miller	S. G. Smith	J. A. White
James H. Muse	M. E. Sparks	

Mr. Myers moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman offered the following Resolution, viz.:

Be It Resolved by the House of Representatives:

That the Speaker be, and he is hereby empowered to employ such assistance in and about the House Chamber during the Session of the General Assembly, as, to him, may seem advisable, under the provisions of Chapter 69, Session Acts of 1926.

Said Resolution was adopted.

The Chief Clerk laid before the House the following communication in writing, from Polk Laffoon, Chairman of the Kentucky State Racing Commission, viz.:

ELEVENTH BIENNIAL REPORT
of the
KENTUCKY STATE RACING COMMISSION
to the
GENERAL ASSEMBLY
of
THE COMMONWEALTH OF KENTUCKY
December 31, 1927

Members of the Commission

POLK LAFOON, Chairman
WALTER I. KOHN, Vice Chairman
G. B. SENFF

CHARLES G. MIDDLETON
S. S. COMBS
W. S. SHERWOOD, Secretary

OFFICE—LEXINGTON, KY.

ELEVENTH BIENNIAL REPORT
of the
KENTUCKY STATE RACING COMMISSION

To the General Assembly of the Commonwealth of Kentucky:

The State Racing Commission, as required by law, herewith transmits to your Honorable Body its Eleventh Biennial Report.

The purpose of the act (approved by the Governor March 23, 1906) which created the State Racing Commission, was to regulate the conduct of races on Kentucky tracks, to limit the amount of racing, and to promote and protect the great thoroughbred horse interests of the State.

This legislation has been of invaluable service to the breeders of Kentucky. It has increased the value of their stock farms, given stability to the prices their yearlings bring

in the markets of America, and has made the breeding of thoroughbreds one of the most important industries in the State. The world has long recognized Kentucky as the nursery where the fleetest and stoutest thoroughbreds are produced. Its soil, water and climate combine to furnish the bone and sinew, the courage and endurance which distinguish the Kentucky race horse. In the last two years some of the greatest stallions of Europe have been transferred to Kentucky for breeding purposes. This, together with the fact that the majority of great American stallions are standing in Kentucky, goes to prove that Kentucky is recognized as an ideal land for the breeding and development of the thoroughbred.

There is an increasing demand from all parts of the country for thoroughbred sires, not only by the Federal Remount Service for the breeding of remounts for the Army, but by farmers for the improvement of the general purpose horse whose value has been greatly enhanced by the crossing of thoroughbred sires on cold-blooded mares.

With the passage of a pari-mutuel bill in Illinois and the subsequent building of racing plants in Chicago and other cities of that state, the demand for thoroughbreds has increased and as a consequence the breeding industry of Kentucky has grown and profited.

In the last two years there have been numerous requests by county and state fairs all over the country for the Rules of Racing of this Commission and there seems to be an ever increasing interest in the sport.

At the present time there are operating under the jurisdiction of the Racing Commission five tracks, located in various parts of the State, namely, Louisville, Latonia, Lexington, Ashland and Henderson, so separated as to give the people of the whole State the opportunity of enjoying racing conducted on a high plane and fulfilling the intention of the General Assembly when it passed the act creating the Kentucky State Racing Commission.

Under the license tax of \$2,500.00 a day the race tracks of Kentucky were assessed in 1926 and 1927 a total sum of \$735,000.00.

The Racing Commissioners serve without salary, and the clerical and office expenses are paid from a small fund raised by a pro rata assessment of the several racing associations.

In closing this report it is proper to state that racing in Kentucky, under fair and liberal laws, enacted by the General Assembly, has reached a perfection that has never been surpassed in the annals of the turf. The contests have been clean, spirited and of the highest class, creditable alike to horsemen, and to the various Racing Associations, which with liberal purses and efficient management have done so much to elevate the sport.

Respectfully submitted,

POLK LAFOON, Chairman
WALTER I. KOHN
G. B. SENFF
CHARLES G. MIDDLETON
S. S. COMBS

LICENSES GRANTED AND RACING DATES ALLOTTED

The present Racing Commission is composed of Polk Laffoon, Walter I. Kohn, G. B. Senff, Charles G. Middleton, and S. S. Combs. Polk Laffoon, Chairman, and W. S. Sherwood, Secretary.

For the year 1926, the Commission granted licenses and allotted dates as follows:

Kentucky Association (Lexington), ten days, April 24th to May 5th, inclusive.

Churchill Downs (Louisville), twenty days, May 8th to May 31st, inclusive.

Latonia, twenty-eight days, June 3rd to July 5th, inclusive.

Tri-State Fair and Racing Association (Ashland), fifteen days, July 5th to July 21st, inclusive.

Tri-State Fair and Racing Association (Ashland), ten days, September 1st to September 11th, inclusive.

Dade Park Jockey Club (Henderson), eleven days, September 11th to September 23rd, inclusive.

Churchill Downs (Louisville), thirteen days, September 25th to October 9th, inclusive.

Latonia, twenty-three days, October 12th to November 6th, inclusive.

Kentucky Association (Lexington), ten days, November 10 to November 20th, inclusive.

LICENSES GRANTED AND RACING DATES ALLOTTED

For the year 1927, the Commission granted licenses and allotted dates as follows:

Kentucky Association (Lexington), ten days, April 23rd to May 4th, inclusive.

Churchill Downs (Louisville), twenty-two days, May 7th to June 1st, inclusive.

Latonia, thirty-one days, June 4th to July 9th, inclusive

Tri-State Fair and Racing Association (Ashland), twenty-five days, July 9th to August 6th, inclusive.

Dade Park Jockey Club (Henderson), thirteen days, September 3rd to September 17th, inclusive.

Churchill Downs (Louisville), thirteen days, September 24th to October 8th, inclusive.

Latonia, twenty-nine days, October 11th to November 12th, inclusive.

Kentucky Association (Lexington), eleven days, November 15th to November 26th, inclusive.

LAWS CREATING THE STATE RACING COMMISSION AND PROVIDING
FOR THE CONDUCT OF RACE MEETINGS, AND
FIXING A LICENSE THEREFOR

Be it Enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. Any corporation formed for the purpose of racing and breeding or improving the breed of horses and conducting races and contests of speed, shall have the power and right, subject to the provisions of this Act, to hold one or more running race meetings in each year, and to hold, maintain and conduct running races at such meetings. At such meetings the corporation or the owners of the horses engaged in such races, or others who are not participants in the racing may contribute purses, prizes, premiums or stakes to be contested for; but no person or persons other than the owners of a horse or horses contesting in a race shall have any pecuniary interest in a purse, prize, premium or stake contested for in such race, or be entitled to, or receive any portion thereof after such race shall have been finished; and the whole of such purse, prize, premium or stake, shall be allotted in accordance with the terms and conditions of such race. Such meeting shall not be held except during the period extending from the first day of April to the first day of December, inclusive, in each year. No running races are authorized or shall be permitted except during the period aforesaid, nor except between sunrise and sunset.

Section 2. A State Racing Commission is hereby established, to consist of five persons to be appointed by the Governor, three of whom shall be breeders and raisers of thoroughbred stock, and no two of whom shall be members of the same racing association. The members of said commission shall hold their offices for a term of four years; and the first Commission shall be appointed within twenty days after this Act shall go into effect. Such Commission shall appoint a

secretary, who shall serve during its pleasure, whose duty it shall be to keep a full and faithful record of its proceedings, and preserve at its general office all books, maps, documents, and papers intrusted to its care, and perform such other duties as the Commission may prescribe. He shall be paid a salary to be fixed by the Commission at a rate not exceeding twelve hundred dollars per annum, which shall be paid by the several racing corporations or associations, the amounts to be paid by each to be apportioned by the Commission, which shall on or before the first day of December in each year assess upon each of said corporations or associations its just proportion of such salary. The Commission shall biennially make a full report to the General Assembly of its proceedings for the two-year period ending with the first day of December preceding the meeting of the General Assembly, and shall embody therein such suggestions and recommendations as it shall deem desirable.

Section 3. Said Commission shall have the power to prescribe the rules, regulations and conditions under which running races shall be conducted in this State, and no such races shall be conducted except by a corporation or association duly licensed by said Commission, as herein provided. Any corporation or association desiring to conduct such racing may annually apply to the State Racing Commission for a license so to do. If in the judgment of the Commission a proper case for the issuance of such license is shown, it may grant the same for a term of one year; and every such license shall contain a condition that all races or race meetings conducted thereunder shall be subject to the rules, regulations and conditions from time to time prescribed by the Commission, and shall be revocable by the Commission for any violation thereof, or whenever the continuance of such licenses shall be deemed by the Commission not conducive to the interest of legitimate racing. But if said license is refused or revoked said Commission shall publicly state its reasons for so doing, and said reasons shall be written in full in the minute book of said

Commission, which shall at all times be subject to inspection upon application of any one desiring so to do. Said finding of said Commission shall be subject to the review of the court of competent jurisdiction. Provided, that a refusal of the Commission to grant to any racing association a license, or to assign a racing association at least forty days in each year, if desired for racing at such association, and the decision of such Commission revoking any license of any association shall be subject to review of the courts of the State.

Section 4. Every running race meeting at which racing shall be permitted for any stake, purse or reward, except as allowed by this Act, is hereby declared to be a public nuisance, and every person acting or aiding therein shall be deemed guilty of a misdemeanor and punished by a fine not less than five hundred dollars, nor more than one thousand dollars for each day of such meeting or racing; and in addition thereto, in a suit brought for the purpose by the State Racing Commission in the circuit court of the county where it may be proposed to conduct such unauthorized racing, an injunction may be obtained against the same.

Section 5. This Act shall not apply to trotting meetings, or races, nor to races conducted by any State, County or other Fair Associations, holding not more than one meeting annually, and for a period not exceeding six days for such meeting.

Section 6. Inasmuch as there is no general law regulating racing in this Commonwealth; and it is desirable that one should be in operation as soon as possible, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage.

Approved March 23, 1906.

LICENSE TAX FOR RACE TRACKS

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That every person, firm, association or corporation engaged in the business of conducting a race track, at which races are run for purses or prizes, under the jurisdiction of the State Racing Commission, shall pay to the State of Kentucky a license tax of Twenty-five Hundred Dollars (\$2,500.00) for each day on which said races are run.

Section 2. It shall be the duty of every firm, association or corporation engaged in the business of conducting a race track to furnish to the Auditor of Public Accounts, on or before December 1st of each year, a true report of the number of days on which races are run on the said track, during each year, and at the same time to pay to the Auditor of Public Accounts the correct amount due the State of Kentucky, by said race tracks at the rate per day above fixed and provided for.

Section 3. The license tax herein imposed shall be in lieu of all other license, income, excise, special or franchise tax to the State of Kentucky, or any county, city, town, municipality, or other political subdivision thereof; and no county, city, town, municipality or other political subdivision of the State of Kentucky shall be authorized or empowered to levy or impose any license, income, excise, special or franchise tax on any such race track.

Section 4. All laws or parts of laws in conflict herewith are hereby repealed.

Approved March 16, 1920.

The Speaker announced the following Rules Committee, viz.:

Messrs. C. B. Crossland, Jr., J. R. Dorman, C. C. May, J. H. Payne, F. A. Gnau, R. T. Graham, D. E. Edwards, S. J. Bunker, L. P. Murphy, J. W. Edwards, S. K. Holland, Charlie Smith, H. J. Meyers, C. F. Thornton, W. B. Ardery, J. P. Land, C. W. Hawkins, C. W. Ryans, Daniel Boone Smith, T. W. Hardesty, Jr., Virgil Eversole and J. C. Flener.

And announced that a meeting of said Committee would be held in the Speaker's room at 8:30 o'clock A. M.

Mr. Meyers moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 10, 1928.

The House then opened with prayer by the Reverend Chesterfield Turner of the First Baptist Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	C. B. Crossland	John G. B. Hall
A. L. Allen	Moorman B. Daniels	A. L. Hall
S. E. Anderson	J. R. Dorman	T. W. Hardesty, Jr.
W. B. Ardery	E. J. Doss	Herman Handmaker
W. O. Bach	W. M. Duncan	Brooks L. Hargrove
Walter J. Bailey	Thos. J. Dunn	C. W. Hawkins
A. J. Baldrige	D. E. Edwards	Joseph M. Hayse
W. O. Baxter	J. W. Edwards	Phillip Helf
T. H. Benton	J. O. Evans	J. R. Hobbs
W. P. Bowman	Virgil Eversole	J. S. Hollan
Thos. L. Britton	Chas. H. Fair	H. B. Holland
W. G. Buckner	W. J. Fisher	S. K. Holland
S. J. Bunger	J. C. Flener	Ira L. Horn
Sam P. Burnam	Duke W. Fowler	Robt. L. Horn
E. L. Campbell	Chas. B. Fulton	Josephus Howard
J. G. Campbell	J. B. Furlong	W. F. Hunter
Chas. B. Carver	F. A. Gnau	Lester Jeter
Harry Cochran	R. C. Graham	T. M. Johnson
John Cooper	W. T. Green	John C. Kemper
J. O. Creech	E. L. Hagan	John B. Klefot

Porter J. Land	L. P. Murphy	S. G. Smith
S. D. Laughlin	James H. Muse	M. E. Sparks
Leon P. Lewis	L. C. Nell	Dan Stamper
Wm. McClave	Andrew Nichols	Frank L. Strange
J. L. McKnight	J. H. Payne	J. G. Swearingen
Wm. McRohan	Levi W. Powell	Mac Swinford
Clark Macdonald	J. G. Prather	J. B. Taylor
J. L. Manning	W. H. Pryor	E. G. Thomas
Luther Morse	B. A. Robertson	C. F. Thornton
C. C. May	C. W. Ryans	P. H. Vincent
Henry Meiman	Vernon Shuffett	J. C. Watkins
Harry J. Meyers	Charles Smith	L. M. Weathers
E. B. Miller	Daniel Boone Smith	J. A. White

Mr. Meyers moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Committee of Rules, offered the following standing Rules for the government of this House during the session of 1928, viz.:

RULES OF THE HOUSE

The Committee on Rules respectfully reports to the House the accompanying rules for its government during the present session.

Quorum of the House

Rule 1. Five members of the House shall constitute a quorum for the purpose of adjourning; fifteen members for the purpose of calling a House, of sending for absent members and of making an order for their censure and fine; a majority of the members may proceed to business, and the numbers mentioned in this rule shall have power in the absence of the Speaker, to elect a speaker pro tem. for the purpose above designated.

Hours of Meeting and Adjournment

Rule 2. The standing hour of meeting each day shall be 10 o'clock a. m. standard time, and the standing hour of adjournment shall be 1 o'clock p. m., except on Monday, when the hour of meeting shall be 1 o'clock p. m., and the hour of adjournment 3 p. m. Provided, however, that a majority of the House may elect to hold extra sessions at any time and extend the sitting of any session to any time within their discretion. The hour of meeting and adjournment of the body shall be governed by the House clock over the main entrance.

The Powers and Duties of the Speaker

Rule 3. The Speaker shall take the chair every day at the hour to which the House adjourned on the preceding day; he shall immediately call the members to order, and, a quorum being present, shall cause the journal of the preceding day to be read.

Rule 4. He shall preserve decorum and order and, in case of disturbance or disorderly conduct in the gallery or lobbies, may cause the same to be cleared. He shall have general control, except as provided by rule of law, of the hall of the House and of the corridors and passages of the unappropriated rooms in that part of the Capitol assigned to the use of the House, until further ordered. He may speak to points of order in preference to other members, rising from the chair for that purpose. He shall decide questions of order, subject to an appeal to the House on request of any two members, and the members appealing shall reduce the appeal to writing.

The Speaker shall have supervision over all officers and employees of the House; and shall direct them as to their duties, and upon failure of any such official to perform their duties, the Speaker shall have power to impose a fine upon such offender, not to exceed the per diem of such official or employe for each offense. Such fine shall be entered upon the journal and deducted from the compensation due such offender.

Rule 5. The standing committees of the House, herein named, and all other committees, shall be appointed by the Speaker.

Rule 6. The Speaker may state questions sitting, but shall rise to put a question.

Rule 7. Questions shall be distinctly put in this form, viz.: "Gentlemen, you who are of the opinion that (as the question may be) say 'aye,' you of the contrary say 'nay.'"

Rule 8. If the Speaker be in doubt as to the result of a vote, or division to be called for, the House shall divide; those in the affirmative of the question shall rise from their seats, and, afterwards, those in the negative. If the Speaker be still in doubt, or a count be requested, the Speaker shall name two members, one from each side, to count those in the affirmative and the negative; which, being reported, he shall rise and state the decision of the House; provided, however, that such decision or count shall not be allowed after the House shall have proceeded to other business.

Rule 9. The Speaker shall have the right to name any member to perform the duties of the chair, but such Speaker pro tem. shall not be empowered to act beyond a period of five days.

Rule 10. No person shall be permitted upon the floor of the House except the Governor, his Secretary, members of the Senate, such newspaper correspondents as may be authorized by the Speaker of the House, the Chief Executive of the United States, Judges of the Court of Appeals and of the Supreme Court of the United States and members of the Federal Congress, unless on special invitation of the House previously extended by vote of the House, and it shall be the duty of the Door-keeper to exclude all persons not entitled to the floor of the House Chamber. If, however, other persons find their way to the floor it shall be the duty of the Sergeant-at-Arms to remove them.

At least five minutes before the hour of convening each day the Sergeant-at-Arms shall clear the floor of the House

Chamber of all persons not entitled to the floor, and shall announce in a loud and distinct voice, "All persons not entitled to the floor of the House under the rules thereof will now vacate the House Chamber." He shall then compel each and every person then in the House Chamber, who is not entitled to remain therein, to vacate.

Rule 11. When a member is about to speak in debate or deliver any matter to the House he shall rise from his seat and respectfully address the Speaker of the House as "Mr. Speaker," but shall not proceed until recognized by the Speaker as the gentleman from———.

Rule 12. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, through the Speaker, call the offender to order; and the member called to order shall immediately sit down unless permitted to explain, and the House, if appealed to, shall decide on the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if against him, and the case require it, he shall be liable to the censure of the House.

Rule 13. When two or more members rise at once, the Speaker shall name the member who is first to speak.

Rule 14. No member shall speak more than twice on the same question without leave of the House, and he shall not speak more than once until every member of the House desiring to speak has spoken. No member shall be allowed to speak more than one hour in the aggregate.

Rule 15. While the Speaker is putting any question, or addressing the House, no one shall walk about the House, or leave; neither, in such case nor when a member is speaking, shall any one talk or pass between the chair and the member who is speaking.

Rule 16. No member shall in debate name another member.

Undebatable Motions

Rule 17. Motions to proceed or dispense with the orders of the day, to dispense with any rule of the House, or take up business out of its regular order, to commit or recommit, except with instruction, shall be propounded without debate.

Rule 18. No explanation of any vote shall be permitted pending the call of the yeas and nays on an undebatable motion.

Withdrawal of Motions

Rule 19. After a motion is stated by the Speaker or read by the Clerk, it shall be deemed in the possession of the House, but may be withdrawn by the consent of the House at any time before a decision or amendment.

Rule 20. After a motion is made and seconded it shall be stated by the Speaker, or, being in writing shall be handed to the chair and read aloud by the Clerk before debate.

Rule 21. Every motion shall be reduced to writing if the Speaker or any member desire it.

Order of Motion in Debate

Rule 22. When a question is under debate no motion shall be received, but

1. To fix the time to which the House shall adjourn.
2. Adjourn.
3. To lay on the table.
4. For the previous question.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To lay on the Clerk's desk.

Which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, or to commit being decided shall again be allowed on the same day and at the same stage of the bill or proposition.

Rule 23. The motion to lay on the table shall in all respects have the same effect in this House as in the House of Representatives of the Congress of the United States, except as otherwise provided, in these rules.

Rule 24. The motion to lay on the Clerk's desk in this House shall have the effect of laying aside the pending question temporarily and when the pending question is laid upon the Clerk's desk it may be taken therefrom at the will of the House, and considered as an original proposition.

Motion to Adjourn

Rule 25. A motion to adjourn shall always be in order except during roll call or pending a motion to fix the time to which the House shall adjourn, and shall be decided without debate.

Rule 26. The previous question being moved and seconded, the question from the chair shall be "Shall the main question be now put?" If the majority of all the members elected to the House vote in the negative the main question shall not then be put, but a majority of all the members elected may order the previous question at any time. The effect of the previous question shall be to bring the House to a direct vote on amendments proposed by the Committee, if any; then on such amendments as are provided for in Rule 38; and then upon the main question. The ordering of the previous question shall put an end to all debate except as follows: before the vote on an amendment, the proposer of the amendment shall have five minutes, and then the proposer of the measure sought to be amended shall have five minutes; and before the vote upon the main question, the opponents of the measure shall have ten minutes and then the proposer of the measure shall have ten minutes to close the debate. When a measure or an amendment has been proposed by a committee, then the time given to the proposer shall be at the disposal of the chairman of the committee.

Division on Questions

Rule 27. Any member may call for a division on the question when the same will admit.

Commitment of Motions

Rule 28. Motions and reports may be committed at the pleasure of the House. (See Rule 17, ante).

Amendments

Rule 29. No motions or propositions on a subject different from that under consideration shall be admitted under color of amendment.

Elections

Rule 30. In all cases of elections there shall be a previous nomination before the House.

Petitions, Memorials, Etc.

Rule 31. Petitions, memorials and other papers addressed to the House may be presented by any member in his place; and in such case he shall briefly state the contents of said petitions, memorials or other papers and which may be received, read and referred on the same day, by agreement of the House.

Calls of Yeas and Nays

Rule 32. Upon a call of the yeas and nays on any question, the names of the members shall be called alphabetically, which shall be made at any time when a division or a count may be had, and upon the completion of any roll call the speaker shall, upon the request of any member, order the Clerk to call the absentees once.

Call of the House

Rule 33. On a call of the House the door shall not be shut against a member until his name is called twice and then

absentees shall be noted by the Clerk and fined one dollar, unless excused by the House.

Voting

Rule 34. No member shall vote on any question in which he is directly or indirectly interested, or on any question unless he was in the bar of the House before the result was announced.

Rule 35. Every member in the House, when a question is put or present before the result is announced shall vote unless excused by the House; and all motions to excuse a member from voting shall be made before the House divides or before the call of the yeas and nays is commenced; and the motion or question to excuse a member shall be decided without debate, and in no event shall any member be excused from voting on a motion to excuse another member from voting. But this rule shall not apply to the Speaker, whose name shall not be called except upon his own request, and then only at the end of the roll call, and before the result is announced, but in all cases of a tie the Speaker shall vote.

Rule 36. Before a vote shall be counted the member casting it shall be either at his seat or visibly approaching it.

Order of Business

Rule 37. The order of business of each day shall be as follows:

1. Invocation.
2. Roll Call.
3. Reading of the Journal of preceding day and correction of any errors that may be found to exist therein.
4. Petitions.
5. Motions and resolutions which shall not include joint resolutions, limited to one hour.
6. Introduction of bills.
7. Reports of special and standing committees in the order as contained in Rule 43.

8. The Orders of the Day which shall be called at twelve o'clock each day.

Any business which did not belong to the orders of the day and which remains unfinished upon the adjournment of the House or upon the call of the standing orders of the day, shall be the first business in order each day, upon the convening of the House. Any business which belongs to the standing orders of the day, which remains unfinished upon the adjournment of the House shall be the first business when the orders of the day are resumed.

Rule 38. The word "Bill" whenever and wherever used in these rules shall include joint resolutions.

Introduction of Bills

Rule 39. Subdivision 1. On each day after the fifth order above named in Rule 37, there shall be a call of the counties and representative districts for the introduction of bills and joint resolutions, which shall be privileged and take precedence of all other business of the House: provided that the orders of the day be called for precisely at 12 o'clock on each day; and, provided, further, that upon the call for the presentation of bills, in the event that every county shall not have been called on the previous day, the Clerk shall, on the next day, commence the call where he left off at last call.

On the call of each county and representative district, the members from said county shall rise from his seat and addressing the chair send to the Clerk's desk a bill or bills or joint resolution which he wishes to introduce, with the title thereof indorsed thereon in a plain and legible hand, which bill or joint resolution shall be read by its title, and the Speaker shall order the same to be printed and refer the same to its appropriate committee for consideration and report, and from such order of reference by the Speaker the member introducing the bill may appeal to the House if he so desires. All bills shall be printed and distributed in the order in which they are introduced, and the usual number of copies of the

same shall be printed for the use of the members of the Senate and House.

Subdivision 2. Upon the report of a bill or joint resolution by any committee, the Clerk shall report the same in full, which shall be considered the first reading of the bill or joint resolution, and shall be so entered upon the journal.

Subdivision 3. The clerk shall keep a register of all bills introduced in the House, or transmitted for concurrence from the Senate in which shall be recorded, under appropriate heads; the progress of such bills from the date of their introduction to the time of their transmission, if House bills, to the Governor, or if Senate bills, their return to the Senate.

Subdivision 4. When a bill has had its first reading it shall be placed by the Clerk on a calendar to be kept by him, and said calendar shall be separate from the bills in the orders of the day. Each day when the House enters into the consideration of the orders of the day, the Clerk shall take up the calendar and give all bills therein their second reading except such as have been placed thereupon that day.

Amendments

Rule 40. More than one amendment to any part or section of any proposition or bill shall not be offered at the same time or entertained by the Speaker.

Each amendment originally pending shall be disposed of before another may be entertained to the same or any other part or section of the main proposition or bill.

All committee amendments shall be disposed of before any other amendment may be offered by a member or entertained by the Speaker. Provided, however, that whenever and wherever blanks are to be filled, the rule above shall yield to general parliamentary law, and provided further, that when a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amend-

ment by way of substitute, but said substitute shall not be voted on until the original matter is perfected.

All committee substitutes shall be printed in like manner as bills and all other substitutes shall be disposed of at the will of the House.

Rule 41. When a bill has been read a second time it shall be placed in the orders of the day or recommitted and when next reached in the House, it shall be ready for amendment, recommitment or debate, or to be read a third time and placed upon its passage. A bill may be recommitted at any time before the passage.

Rule 42. When a bill shall have been referred to any committee, it shall be the duty of the chairman of such committee to submit the bill to the consideration of his committee and such committee shall make such amendments to said bill as it may deem proper, and report said bill to the House with such amendments. A majority of the members of a committee shall be present before a bill may be considered. No bill shall be considered or a report of same determined upon, except when a committee is in session. A committee in reporting a bill to the House shall make its report in writing, and such a report shall be signed by a majority of such committee, but after said majority report has been made the minority may make its report, which shall also be in writing, and signed by the members of the committee making such report. Bills shall not be engrossed except by order of the House, and the style of every bill shall be: "Be it enacted by the General Assembly of the Commonwealth of Kentucky." Provided, however, that no committee shall hold or refuse to report a bill for an unreasonable time, and if same shall not be reported in a reasonable time, the said bill may be called up by any member of the House and be considered in the same manner it would have been considered without expression of such committee. The House shall, at all times, be the judge of what shall constitute a reasonable or an unreasonable length of time under this provision.

Rule 43. When a bill passes it shall be certified by the Clerk, who, at the foot thereof, shall note the day on which it passed.

Suspension of the Rules

Rule 44. The standing rules of the House and the regular order of business shall not be suspended, amended or interrupted unless by a vote of a majority of the members elected.

Standing Committees

Rule 45. The following shall be and constitute the standing committees of the House of Representatives, and each committee shall be composed of nine members, except the Committee on Rules, which shall consist of twenty-two members besides the Speaker:

Agriculture.

Appropriation No. 1.

Appropriation No. 2.

Banks and Banking.

Bond Issues.

Charitable and Penal Institutions.

Circuit Courts.

Cities of the 1st Class.

Cities of the 2nd and 3rd Class.

Cities of the 4th Class.

Cities of the 5th and 6th Class.

Claims.

Classification of Cities and Towns.

Codes of Practice.

Compensation for Industrial Injuries.

Confederate Home.

Constitutional Amendments.

Corporate Institutions.

County and City Courts.

Court of Appeals.

Criminal Law.

Education No. 1.

Education No. 2.
Enrollment.
Fish and Game.
Forestry.
Geological Survey.
Immigration and Labor.
Insurance, Fire and Marine.
Insurance, Life and Casualty.
Interurban and City Railways.
Judiciary.
Juvenile Courts and Children's Homes
Kentucky Statutes.
Military Affairs.
Mines and Mining.
Motor Transportation.
Normal Schools.
Oil and Minerals.
Printing.
Public Bridges and Ferries.
Public Ditches.
Public Safety.
Public Utilities.
Railroads.
Redistricting, Congressional.
Redistricting, Judicial.
Redistricting, Legislative.
Revenue and Taxation No. 1.
Revenue and Taxation No. 2.
Roads and Highways No. 1.
Roads and Highways No. 2.
Roads and Highways No. 3.
Rules.
State Fair.
State Parks.
State Properties.
State University.

Suffrage and Elections.

Tuberculosis.

And it shall not be competent for the House by vote or otherwise, to add any one to the membership of either of said committees; but a vacancy from any cause may be filled by appointment by the Speaker.

Rule 46. The Committee on enrollment may report any time when not excluded by a privileged motion; provided, that when any committee shall have occupied the morning hour on two days, it shall not be in order for such committee to report further until other committees are called. And provided, also, that no bill shall be reported by any committee which was introduced after said committee began its report.

Rule 47. It shall be the standing order of the day throughout the session for the House to resolve itself into a committee of the whole House on the state of the Commonwealth.

Rule 48. When a bill or other matter is committed to a committee of the Whole House the question of going into the committee of the whole shall be first in the order of the day.

Rule 49. In committee of the whole House, bills shall be read and debated by sections, leaving the preamble and title to be last considered.

Rule 50. All amendments made to an original House bill or resolution in committee of the whole House shall be incorporated in the original and so reported.

Rule 51. All questions, whether in the committee or in the House, shall be disposed of in the order in which they are moved, except that in filing blanks the largest sum and the most remote day shall be put first.

Rule 52. The rules of the House shall be observed in committee when applicable, except the rule limiting the time of speaking.

Fines

Rule 53. All fines imposed on absentees shall be collected by the Sergeant-at-Arms and covered into the Treasury.

Clerk's Duty

Rule 54. The Clerk or Assistant Clerk shall report all bills or resolutions to the Senate unless otherwise ordered by the House.

Rule 55. No member or other person shall remain by the Clerk's desk when the yeas and nays are being called.

Rule 56. All bills and joint resolutions originating in the Senate and reported to this House as passed therein, shall be read by their titles, when the Speaker shall refer them to appropriate committees.

Duties of the Enrolling Clerk

Rule 57. The Enrolling Clerk of the House shall each day call upon the Clerk and when not engaged in enrolling bills, shall perform such duties as he may direct, take charge of all House bills as soon as they are reported back to the House and ready to be enrolled; keep an accurate account of and carefully preserve all of them; cause them without delay to be plainly and legibly enrolled without blots, erasures or interlineations, and present the same when enrolled to the Committee on Enrollments, who shall immediately report them to the House for comparison, and the signature of the Speaker; and when signed by the Speaker of the House, the Enrolling Clerk shall deliver them at once to the Senate or such committees as may be authorized to receive them in that body. All original House bills shall be returned by the Enrollment Clerk to the Clerk of the House at the time of the signing of the enrolled bills, and the Clerk of the House shall carefully preserve them.

Doorkeeper and Sergeant-at-Arms

Rule 58. The Chief Clerk or his Assistant, the Doorkeeper, and Sergeant-at-Arms, and all employees under them, shall be in the House thirty minutes before the hour for the House to convene; and five minutes before the hour for the meeting of the House each day the Doorkeeper and Sergeant-

at-Arms shall see that the floor of the House is cleared of all persons, except those privileged to remain. (See Rule 10.) And the Sergeant-at-Arms is empowered to deputize as many assistant Sergeant-at-Arms as he may deem necessary to carry out the order of the Speaker under Rule 4 of these Rules.

Motion to Reconsider

Rule 59. A motion to reconsider any action of the House shall be in order if made in open session for a period of three days, Sundays included, from the time said vote was taken; but such motion shall not be in order after action has been had by the House in consequence of the decision proposed to be reconsidered, or after it has been sent to the Senate or Governor.

General Provisions

Rule 60. On all questions not provided for in the foregoing rules, the House shall be governed by parliamentary law or usage; provided, the author of any measure shall have five minutes' time in which to explain upon a motion to lay on the table.

Rule 61. Whenever any committee shall report to the House a bill with the expression of opinion that it should not pass, said bill shall not be entitled to a reading unless it is ordered by a vote of the House; and upon the question whether or not said bill shall be read, the report of the committee to the contrary notwithstanding, no debate shall be allowed, except that the originator of a bill, or any one indicated by him, shall have ten minutes in which to explain the bill; and any one member of the committee who favors the report of the committee may have a like time in which to explain the action of the committee, and then if said bill shall be ordered to a reading, it shall be read the first time in full and recommitted or placed in the calendar.

Rule 62. During the last fifteen days of the session, the Committee on Rules shall have the power at any time to call from the orders of the day any bill or resolution and propose

the same to the House for consideration, and should the House decide by vote to consider it, it shall be submitted for passage. The Committee shall be authorized to call from the other committees any bill or resolution in their hands and have them advanced to the reading to which the bills may be entitled: Provided, however, that for the first ten days thereof, the said committee shall in its discretion cause to be posted on the day prior thereto, a list of bills and resolutions which are to be called, but said committee may withdraw from said list any bills or resolutions so posted, but shall not be permitted to substitute any other bill or resolution therefor.

Rule 63. If any bill, motion or resolution has been, by vote, carried or lost, and a motion is made to reconsider the vote by which the bill, motion or resolution was carried or lost, and said motion to reconsider is laid upon the table, then no further motion shall be entertained relative to the subject matter carried by said bill, motion or resolution, unless by the unanimous consent of the House.

Rule 64. All pairs announced in the House shall be entered on the journal.

Rule 65. When the roll is being called on any proposition and the hour of adjournment arrives, the time for adjournment shall be extended until said roll has been completed and the result announced.

Rule 66. In all cases where general parliamentary law provides for a rule of two-thirds it shall mean in this House a majority of all the members elected thereto.

Rule 67. Five hundred copies of these rules shall be printed immediately for the use of the General Assembly.

Mr. Dorman moved that said Rules be adopted.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a Joint Resolution entitled:

JOINT RESOLUTION

Resolution providing a contingent fund for the clerk of the House and the Clerk of the Senate.

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That for the purpose of paying such expenses as the Chief Clerk of the Senate of Kentucky is directed to incur by the Senate of Kentucky, there is hereby appropriated out of the general revenues of the State, as a contingent fund, the sum of five hundred dollars (\$500.00) and for the purpose of paying the expenses incurred by the Chief Clerk of the House of Representatives of the Commonwealth, under the direction of said House, there is hereby appropriated out of the general revenues of the State, as a contingent fund, the sum of five hundred dollars (\$500.00). Said respective funds shall be paid out on warrant of the Auditor, issued on requisition of the Chief Clerk of the Senate and of the House of Representatives, respectively.

Mr. Meyers moved that the Rules of this House be suspended and that said Resolution be taken up for immediate passage.

Said motion was agreed to.

Said Resolution was adopted.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

J. Curtis Alcock	W. P. Bowman	Chas. B. Carver
S. E. Anderson	Thos. L. Britton	Harry Cochran
W. B. Ardery	W. G. Buckner	John Cooper
Walter J. Bailey	S. J. Bungler	J. O. Creech
A. J. Baldridge	Sam P. Burnam	C. B. Crossland
W. O. Baxter	E. L. Campbell	Moorman B. Daniels
T. H. Benton	J. G. Campbell	J. R. Dorman

E. J. Doss	J. S. Hollan	James H. Muse
W. M. Duncan	H. B. Holland	L. C. Nell
Thos. J. Dunn	S. K. Holland	Andrew Nichols
D. E. Edwards	Ira L. Horn	J. H. Payne
J. W. Edwards	Robt. L. Horn	Levi W. Powell
J. O. Evans	Josephus Howard	J. G. Prather
Virgil Eversole	W. F. Hunter	W. H. Pryor
Chas. H. Fair	Lester Jeter	B. A. Robertson
W. J. Fisher	T. M. Johnson	C. W. Ryans
J. C. Fleener	John C. Kemper	Vernon Shuffett
Duke W. Fowler	John B. Klefot	Charles Smith
Chas. B. Fulton	Porter J. Land	Daniel Boone Smith
J. B. Furlong	S. D. Laughlin	S. G. Smith
F. A. Gnau	Leon P. Lewis	M. E. Sparks
R. C. Graham	Wm. McClave	Dan Stanper
W. T. Green	J. L. McKnight	Frank L. Strange
E. L. Hagan	Wm. McRohan	J. G. Swearingen
A. L. Hall	Clark Macdonald	Mac Swinford
John G. B. Hall	J. L. Manning	J. B. Taylor
T. W. Hardesty, Jr.	Luther Morse	E. G. Thomas
Herman Handmaker	C. C. May	C. F. Thornton
Brooks L. Hargrove	Henry Meiman	P. H. Vincent
C. W. Hawkins	Harry J. Meyers	J. C. Watkins
Phillip Helf	E. B. Miller	L. M. Weathers
J. R. Hobbs	L. P. Murphy	J. A. White

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The Speaker laid before the House the following Standing Committees for this session of the House, viz.:

House Committees.

Rules—C. B. Crossland, Jr., Chairman; J. R. Dorman, C. C. May, J. H. Payne, F. A. Gnau, R. C. Graham, D. E. Edwards, S. J. Bunger, L. P. Murphy, J. W. Edwards, S. K. Holland, Charlie Smith, H. J. Meyers, C. F. Thornton, W. B. Ardery, J. P. Land, C. W. Hawkins, C. W. Ryan, D. B. Smith, T. W. Hardesty, Jr., V. Eversole, J. C. Fleener.

Agriculture—H. B. Holland, Chairman; L. P. Murphy, S. J. Bunger, W. B. Ardery, H. Cochran, E. B. Miller, A. J. Baldrige, T. H. Benton, T. L. Britton, W. H. Pryor.

Appropriations No. 1.—Lester Jeter, Chairman; C. B. Fulton, J. C. Watkins, C. F. Thornton, W. J. Bailey, W. B. Ardery, J. O. Creech, J. L. Manning, Dan Stamper.

Appropriations No. 2.—F. L. Strange, Chairman; J. C. Alcock, W. R. McRohan, W. O. Back, W. M. Duncan, W. G. Buckner, L. Morse, C. McDonald, J. G. Campbell.

Banks and Banking—C. C. May, Chairman; C. B. Fulton, J. H. Payne, E. J. Doss, Lester Jeter, J. O. Evans, J. L. McKnight, H. G. Handmaker, J. B. Taylor.

Bond Issues—S. D. Laughlin, Chairman; W. O. Back, B. L. Hargrove, H. Cochran, J. O. Evans, H. B. Holland, E. L. Campbell, C. H. Fair, T. L. Britton.

Charitable and Penal Institutions—L. M. Weathers, Chairman; T. J. Dunn, J. C. Alcock, M. E. Sparks, J. B. Klefot, R. C. Graham, T. L. Britton, J. M. Hayse, S. G. Smith.

Circuit Courts—L. P. Lewis, Chairman; E. J. Doss, W. M. Duncan, J. W. Edwards, W. J. Fisher, D. W. Fowler, W. T. Green, H. G. Handmaker, V. Shuffett.

Cities of First Class—E. A. Gnau, Chairman; D. W. Fowler, J. B. Klefot, S. K. Holland, J. R. Hobbs, J. Howard, E. J. Thomas, H. G. Handmaker, J. M. Hayse.

Cities of Second and Third Class—H. J. Meyers, Chairman; F. L. Strange, P. H. Vincent, J. B. Furlong, H. Meiman, B. A. Robertson, J. P. Land, J. O. Creech, C. McDonald, Phil Helf.

Cities of Fourth Class—J. S. Holland, Chairman; J. G. B. Hall, W. J. Fisher, Lester Jeter, W. M. McRohan, A. Nichols, A. L. Allen, J. S. Cooper, I. L. Horn.

Cities of Fifth and Sixth Class—H. Cochran, Chairman; L. M. Weathers, S. J. Bunger, S. D. Laughlin, W. O. Back, J. O. Evans, J. B. Taylor, W. T. Green, Dan Stamper.

Claims—R. C. Graham, Chairman; J. S. Holland, J. B. Furlong, E. L. Hagan, Charlie Smith, B. L. Hargrove, J. B. Campbell, A. L. Allen, L. W. Powell, S. E. Anderson.

Classification of Cities and Towns—A. L. Hall, Chairman; M. B. Daniels, J. B. Furlong, A. Nichols, J. R. Hobbs, E. B. Miller, H. G. Handmaker, P. P. Helf, C. McDonald.

Codes of Practice—A. Nichols, Chairman; W. M. McRohan, M. B. Daniels, J. G. B. Hall, B. A. Robertson, P. H. Vincent, J. C. Alcock, J. M. Hayse, C. H. Fair, V. Shuffett.

Compensation for Industrial Injuries—W. B. Ardery, Chairman; F. A. Gnau, H. J. Meyers, L. P. Lewis, Charlie Smith, W. G. Buckner, P. P. Helf, H. G. Handmaker, S. P. Burnam.

Confederate Home—W. G. Buckner, Chairman; W. O. Baxter, L. M. Weathers, Charlie Smith, W. J. Bailey, S. J. Bunger, L. Morse, T. H. Benton, W. P. Bowman.

Constitutional Amendments—S. J. Bunger, Chairman; W. J. Bailey, L. P. Lewis, J. G. Hall, M. B. Daniels, H. Cochran, W. H. Pryor, J. L. Horn, J. G. Swerengen.

Corporate Institutions—W. M. Duncan, Chairman; B. A. Robertson, H. J. Meyers, M. B. Daniels, E. J. Doss, D. E. Edwards, W. P. Bowman, S. E. Anderson, W. M. McClave.

County and City Courts—J. B. Furlong, Chairman; B. A. Robertson, E. L. Hagan, J. S. Holland, W. M. Duncan, C. B. Fulton, V. Shuffett, I. L. Horn, J. H. Muse.

Court of Appeals—T. M. Johnson, Chairman; S. J. Bunger, J. B. Furlong, L. P. Lewis, J. R. Hobbs, D. W. Fowler, J. G. Swerengen, D. B. Smith, Phil Helf.

Criminal Law—W. O. Baxter, Chairman; E. L. Hagan, W. W. Duncan, J. H. Payne, Mac Swinford, J. B. Furlong, C. H. Fair, J. G. Swerengen, E. J. Thomas.

Education No. 1.—J. G. Prather, Chairman; J. S. Hollan, C. B. Fulton, C. C. May, C. W. Hawkins, J. Howard, J. A. White, T. W. Hardesty, J. C. Fleenor.

Education No. 2—J. C. Kemper, Chairman; M. E. Sparks, W. O. Baxter, S. E. Anderson, J. R. Hobbs, S. D. Laughlin, C. McDonald, J. S. Cooper.

Enrollment—C. B. Crossland, Jr., Chairman; R. L. Horn, J. S. Hollan, A. L. Hall, E. L. Hagan, J. G. B. Hall, T. H. Benton, L. W. Powell, W. T. Green.

Fish and Game—J. C. Alcock, Chairman; W. G. Buckner, Mac Swinford, L. M. Weathers, R. C. Graham, H. Meiman, W. H. Pryor, L. C. Nell, J. G. Campbell.

Forestry—J. O. Evans, Chairman; H. Meiman, E. O. Hagan, B. L. Hargrove, H. B. Holland, A. Nichols, A. J. Bldridge, J. L. McKnight, A. L. Allen.

Geological Survey—B. A. Robertson, Chairman; L. P. Lewis, F. L. Strange, J. G. Prather, Charlie Smith, M. E. Sparks, E. L. Campbell, J. L. Manning, W. McClave.

Immigration and Labor—W. M. McRohan, Chairman; C. W. Hawkins, W. B. Ardery, W. G. Buckner, R. C. Graham, H. J. Meyers, J. S. Swearengen, W. H. Pryor, L. Morse.

Insurance—Fire and Marine—H. Meiman, Chairman; D. W. Fowler, A. Nichols, J. R. Dorman, H. J. Meyers, C. F. Thornton, S. P. Burnam, W. P. Bowman, E. L. Campbell.

Insurance—Life and Casualty—E. J. Doss, Chairman; W. B. Ardery, J. G. Prather, C. W. Hawkins, J. W. Edwards, W. O. Beck, J. O. Creech, W. F. Hunter, E. J. Thomas.

Interurban and City Railways—J. W. Edwards, Chairman; R. L. Horn, S. D. Laughlin, F. L. Strange, Mac Swinford, W. B. Ardery, L. W. Powell, Dan Stamper, E. J. Thomas.

Judiciary—Mac Swinford, Chairman; Lester Jeter, P. H. Vincent, W. O. Back, W. J. Fisher, M. B. Daniels, V. Shuffett, W. F. Hunter, C. H. Fair.

Juvenile Courts and Children's Home.—R. L. Horn, Chairman; H. Meiman, J. H. Payne, T. J. Dunn, E. J. Doss, W. M. Duncan, A. L. Allen, W. McClave, L. Morse.

Kentucky Statutes—S. K. Holland, Chairman; J. Howard, C. F. Thornton, J. C. Watkins, T. J. Dunn, J. P. Land, C. W. Ryans, J. S. Cooper, T. W. Hardesty.

Military Affairs—D. W. Fowler, Chairman; R. C. Graham, B. L. Hargrove, A. Nichols, R. L. Horn, J. C. Watkins, T. J. Dunn, J. H. Muse, J. O. Creech, A. J. Baldrige, J. B. Taylor.

Mines and Mining—Charlie Smith, Chairman; J. S. Hollan, Josephus Howard, P. H. Vincent, C. C. May, J. C. Watkins, J. C. Kemper, S. E. Anderson, S. P. Burnam, V. Eversole.

Motor Transportation—C. W. Hawkins, Chairman; L. P. Murphy, R. L. Horn, C. B. Carver, R. C. Graham, T. J. Dunn, T. M. Johnson, L. Morse, J. H. Muse, T. H. Benton.

Normal Schools—C. B. Fulton, Chairman; W. J. Bailey, C. B. Crossland, F. L. Strange, R. C. Graham, J. G. Prather, A. L. Allen, S. P. Burnam, T. L. Britton.

Oils and Minerals—M. E. Sparks, Chairman; C. B. Carver, H. Cochran, J. W. Edwards, W. J. Fisher, T. M. Johnson, L. C. Nell, L. W. Powell, W. F. Hunter.

Printing—B. L. Hargrove, Chairman; C. B. Fulton, E. J. Doss, J. G. Evans, W. J. Fisher, A. L. Hall, W. F. Hunter, C. H. Fair, J. A. White.

Public Bridges and Ferries—D. E. Edwards, Chairman; R. C. Graham, J. R. Dorman, C. B. Crossland, C. C. May, J. H. Payne, J. S. Cooper, C. W. Ryans, S. G. Smith.

Public Ditches—J. B. Hall, Chairman; D. E. Edwards, M. B. Daniels, B. A. Robertson, F. A. Gnau, A. L. Hall, W. McClave, Dan Stamper, J. L. McKnight.

Public Health—Josephus Howard, Chairman; S. K. Holland, C. W. Hawkins, C. B. Fulton, J. B. Klefot, M. E. Sparks, Dr. L. C. Nell, J. C. Fleenor, J. A. White.

Public Safety—W. O. Back, Chairman; D. W. Fowler, A. L. Hall, J. G. B. Hall, B. L. Hargrove, H. B. Holland, J. H. Muse, I. L. Horn, P. P. Helf.

Public Utilities—J. P. Land, Chairman; W. O. Baxter, C. B. Crossland, Josephus Howard, F. A. Gnau, S. K. Holland, T. W. Hardesty, Jr., J. A. White, S. G. Smith.

Railroads—W. J. Bailey, Chairman; J. R. Dorman, T. M. Johnson, C. F. Thornton, J. P. Land, C. B. Carver, C. W. Ryans, L. C. Nell, V. Eversole.

Redistricting—Congressional—L. P. Murphy, Chairman; J. C. Kemper, J. R. Dorman, S. K. Holland, J. Howard, H. Meiman, S. G. Smith, V. Shuffett, J. L. McKnight.

Redistricting—Judicial—C. F. Thornton, Chairman; E. B. Miller, P. H. Vincent, A. L. Hall, B. A. Robertson, F. L. Strange, D. B. Smith, J. B. Taylor, W. McClave.

Redistricting—Legislative—J. C. Watkins, Chairman; J. B. Klefot, J. H. Payne, M. E. Sparks, J. G. Prather, W. O. Baxter, D. B. Smith, E. J. Thomas, J. G. Campbell.

Revenue and Taxation No. 1—J. R. Dorman, Chairman; C. B. Crossland, Jr., J. P. Land, L. P. Murphy, S. K. Holland, T. M. Johnson, V. Eversole, J. G. Campbell, J. C. Fleenor.

Revenue and Taxation No. 2—T. J. Dunn, Chairman; Mac Swinford, W. R. McRohan, W. M. Duncan, J. C. Kemper, J. B. Klefot, J. L. Manning, W. H. Pryor, C. McDonald.

Roads and Highways, No. 1—J. H. Payne, Chairman; J. C. Alcock, J. R. Dorman, R. C. Graham, R. L. Horn, L. P. Murphy, L. M. Weathers, S. G. Smith, S. P. Burnam, L. C. Nell.

Roads and Highways No. 2—C. B. Carver, Chairman; A. W. Nichols, W. O. Baxter, T. M. Johnson, Lester Jeter, J. C. Watkins, T. J. Dunn, J. S. Cooper, J. L. Manning, J. B. Taylor.

Roads and Highways No. 3—W. J. Fisher, Chairman; Josephus Howard, H. B. Holland, F. L. Strange, C. C. May, J. G. Prather, J. C. Kemper, W. F. Hunter, E. L. Campbell, J. G. Swearengen.

State Fair—E. B. Miller, Chairman; J. C. Alcock, C. B. Carver, H. Cochran, J. M. Hayse, J. O. Evans, S. D. Laughlin, L. W. Powell, Dan Stamper, J. A. White.

State Parks—J. R. Hobbs, Chairman; J. C. Kemper, L. M. Weathers, T. J. Dunn, S. D. Laughlin, D. E. Edwards, J. L. Manning, J. M. Hayse, W. T. Green.

State Properties—M. B. Daniels, Chairman; W. J. Bailey, H. B. Holland, J. G. B. Hall, E. B. Miller, C. C. May, S. E. Anderson, A. J. Baldrige, W. P. Bowman.

State Universities—P. H. Vincent, Chairman; Lester Jeter, M. B. Daniels, J. P. Land, W. R. McRohan, J. W. Edwards, T. L. Britton, E. L. Campbell, J. O. Creech.

Suffrage and Elections—J. B. Klefot, Chairman; F. A. Gnau, L. P. Lewis, E. J. Doss, Mac Swinford, W. G. Buckner, A. J. Baldrige, T. H. Benton, W. P. Bowman.

Tuberculosis—E. L. Hagan, Chairman; J. R. Hobbs, J. C. Kemper, S. D. Laughlin, E. B. Miller, P. H. Vincent, J. L. McKnight, J. A. White, I. L. Horn.

Mr. Robertson moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, JANUARY 11, 1928.

The House was opened with prayer by the Reverend Chesterfield Turner of the First Baptist Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	W. B. Ardery	A. J. Baldrige
A. L. Allen	W. O. Bach	W. O. Baxter
S. E. Anderson	Walter J. Bailey	T. H. Benton

W. P. Bowman	John G. B. Hall	Harry J. Meyers
Thos. L. Britton	T. W. Hardesty, Jr.	E. B. Miller
W. G. Buckner	Herman Handmaker	L. P. Murphy
S. J. Bunger	Brooks L. Hargrove	James H. Muse
Sam P. Burnam	C. W. Hawkins	L. C. Nell
E. L. Campbell	Joseph M. Hayse	Andrew Nichols
Chas. B. Carver	Phillip Helf	J. H. Payne
Harry Cochran	J. R. Hobbs	Levi W. Powell
John Cooper	J. S. Hollan	J. G. Prather
J. O. Creech	H. B. Holland	W. H. Pryor
C. B. Crossland	S. K. Holland	B. A. Robertson
J. R. Dorman	Ira L. Horn	C. W. Ryans
E. J. Doss	Robt. L. Horn	Vernon Shuffett
W. M. Duncan	Josephus Howard	Charles Smith
Thos. J. Dunn	W. F. Hunter	Daniel Boone Smith
D. E. Edwards	Lester Jeter	S. G. Smith
J. W. Edwards	T. M. Johnson	M. E. Sparks
J. O. Evans	John C. Kemper	Dan Stamper
Virgil Eversole	John B. Klefot	Frank L. Strange
Chas. H. Fair	Porter J. Land	J. G. Swearingen
W. J. Fisher	S. D. Laughlin	Mac Swinford
J. C. Flener	Leon P. Lewis	J. B. Taylor
Duke W. Fowler	Wm. McClave	E. G. Thomas
Chas. B. Fulton	J. L. McKnight	C. F. Thornton
J. B. Furlong	Wm. McRohan	P. H. Vincent
F. A. Gnau	Clark Macdonald	J. C. Watkins
R. C. Graham	J. L. Manning	L. M. Weathers
W. T. Green	Luther Morse	J. A. White
E. L. Hagan	C. C. May	
A. L. Hall	Henry Meiman	

Mr. Strange moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Ryans moved that a leave of absence be granted to Mr. J. G. B. Campbell.

Said motion was agreed to.

Mr. Ryans moved that Miss Lucille Pryor be appointed an honorary page for this session of the General Assembly.

Said motion was agreed to.

Mr. Meyers moved that the privileges of the floor be extended to Mr. O'Donovan, a former member of this House.

Said motion was agreed to.

Mr. Strange moved that the privileges of the floor be extended to Mr. E. E. Nelson, a former member of this House.

Said motion was agreed to.

Mr. Robertson offered the following Resolution, viz.:

Ec it Resolved by the House of Representatives:

That when this House adjourn today, it be out of respect to the late Moorman B. Daniel, a member of this House from the Counties of Fulton and Hickman, whose sudden and untimely death has brought sadness and sorrow to every member of this House.

Said Resolution was adopted.

Mr. Payne offered the following Resolution, viz.:

Be it Resolved by the House of Representatives:

That the Sergeant-at-Arms of this House be directed to purchase a suitable floral design as a tribute of this House to the memory of the late Moorman B. Daniel former member of this House from the Counties of Fulton and Hickman and,

Be it Further Resolved that the expense of such floral design shall be paid out of the State Treasury upon warrant of the Auditor when properly certified by the Chief Clerk of this House.

Said Resolution was adopted.

Mr. Ryans offered the following Resolution, viz.:

Be it Resolved by the House of Representatives:

That the Speaker be and he is hereby authorized to appoint a committee consisting of seven members of this House to accompany the remains of the late Moorman B. Daniel to their last resting place, and

Be it Further Resolved, That the members of this committee so selected be allowed their actual traveling expenses in the execution of these duties and that said expenses shall be certified by the Clerk of this House to the Auditor of Public Accounts for payment who is hereby directed to draw his warrant upon the State Treasurer out of any funds in the Treasury not otherwise appropriated in favor of the members of this committee for the amount so certified by the said Clerk.

Said Resolution was adopted.

The Speaker announced the following names as members constituting said Committee:

Messrs. Hargrave, Payne, Fulton, Crossland, S. K. Holland, Robertson and Ryans.

Mr. Strange offered the following Resolution, viz.:

Be it Resolved by the House of Representatives:

That the Speaker be hereby authorized to appoint a committee consisting of seven members of this House to draw

suitable resolutions on the death of the late Moorman B. Daniel who was a member of this House from the Counties of Fulton and Hickman.

Said Resolution was adopted.

The Speaker announced the following names as members constituting said Committee:

Messrs. Robertson, Swinford, Meyers, Payne, Nichols, and Hawkins.

The Speaker laid before the House the following communication from the Hon. Flem D. Sampson, Governor of the Commonwealth of Kentucky, viz.:

January 11, 1928.

SPEAKER JOHN S. MILLIKEN,
House Chamber, Frankfort, Kentucky.

Dear Mr. Speaker:

I have invited a number of outstanding Kentuckians to a conference here today at which ways and means of helping the Mammoth Cave National Park drive to success is to be considered, and I am especially anxious that you and the members of the House and Senate lend your presence to the occasion and thus encourage the movement. The meeting will be at two o'clock this afternoon in the House Chamber.

Will you please call this meeting to the attention of the House in your meeting this morning?

Very respectfully,
FLEM D. SAMPSON, *Governor*.

The Chief Clerk laid before the House the following invitation from Mr. L. D. Stucker, Chaplain of the State Reformatory of Kentucky, viz.:

January 10, 1928.

THE MEMBERS OF THE SENATE,
AND THE HOUSE OF REPRESENTATIVES,
State Capitol, Frankfort, Kentucky.

Gentlemen:

The boys of the Kentucky State Reformatory are giving a minstrel show at the Reformatory, Wednesday evening, January the eleventh, and at the request of the Superintendent, Mr. Herbert M. Beard, I am extending to the Members and their friends an invitation to be present as his guest on this occasion.

Very sincerely,
L. D. STUCKER, *Chaplain.*

Upon a call of the counties and Legislative Districts, the following bills and resolutions were introduced, ordered printed and referred as follows, viz.:

By Mr. Payne:

H. B. 1. An Act relating to roads and highways.

To Committee on Roads and Highways No. 2.

By Mr. Fisher:

H. B. 2. An Act to add additional road projects to the Primary System of State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

To Committee on Roads and Highways No. 3.

By Mr. Fisher:

H. B. 3. An Act repealing, amending and enacting the Parole law, and authorizing the circuit court in which the de-

fendant is tried and convicted to grant paroles by the trial court, and requiring the trial court to make and keep statistics of the life, habits and convictions of defendants and requiring the wardens of the penitentiary to furnish circuit courts, daily record of the acts and doings of inmates of the penitentiary, and providing penalties for the violation of this Act.

To Committee on Charitable and Penal Institutions.

By Mr. Bailey:

H. B. 4. An Act to amend, revise and re-enact Section 415b-6 of Kentucky Statutes, Carroll's Edition, 1922, known as the Confederate Soldiers Pension Act, as amended and approved, March 28, 1918.

To Committee on Confederate Homes.

By same:

H. B. 5. An Act to amend and re-enact Sections 201c-1, etc., Kentucky Statutes.

To Committee on Railroads.

By Mr. Hunter:

H. B. 6. An Act creating a State Board and prescribing its powers and duties.

To Committee on Education No. 1.

By same:

H. B. 7. An Act to establish State Primary Project No. — to lead over the route from Pineville-Harlan road near

Blackmount up Puckett's Creek to a point in the Virginia-Kentucky State line.

To Committee on Roads and Highways No. 2.

By Mr. Ardery:

H. B. 8. An Act to amend and re-enact Sections 3643-1, 3643-2, 3643-3 and 3643-13 of the Kentucky Statutes, Carroll's Edition 1915 and as re-written in the 1922 edition, authorizing and empowering the City Council of cities of the fifth class to regulate the improvement of sidewalks, curbing, sewers, streets, avenues, highways and public places of said towns.

To Committee on Cities of the 5th and 6th Classes.

By Mr. Vincent:

H. B. 9. An Act relating to Roads and Highways.

To Committee on Roads and Highways No. 2.

By Mr. Alcock:

H. B. 10. An Act relating to live stock, and vehicles, other than motor vehicles, while being used or operated on public highways, regulating lights.

To Committee on Public Safety.

By same:

H. B. 11. An Act to define type to be used in recordable instrument.

To Committee on Kentucky Statutes.

By same:

H. B. 12. An Act to amend and re-enact Sections 1938a-1, 1938a-4, Kentucky Statutes, Carroll's 1922 Edition, and sections 1938a-6 and 1938a-16, Kentucky Statutes, Carroll's 1922 Edition, as amended by Chapter 133 of the Acts of 1924, changing the closed season on quail, providing a bag limit on squirrels, extending the closed season on wild turkey, Hungarian partridge, deer and elk and providing an open season for imported pheasants, fixing hours of the day within which doves may be killed in open season and prohibiting baiting of doves and providing penalties for violation thereof.

To Committee on Fish and Game.

By Mr. Hardesty:

H. B. 13. An Act establishing a State Bureau of Criminal Identification and defining its powers and duties.

To Committee on Criminal Law.

By Mr. Carver:

H. B. 14. An Act to appropriate five thousand dollars (\$5,000.00) a year for each of the fiscal years, 1927-1928-1929 to the Kentucky State Fair for the purpose of meeting premium expenses of the said State Fair in promoting livestock contests for boys' and girls' club work and adult feeders in this Commonwealth, and providing for the apportionment of eighty (80%) per cent, or more, of said appropriation to boys' and girls' club work and twenty (20%) per cent, or less, of said appropriation to adult feeders, and providing for reports to the Auditor.

To Committee on State Fair.

By Mr. Fair:

H. B. 15. An Act for protection of quail or bobwhite; fixing open and closed seasons for same.

To Committee on Fish and Game.

By same:

H. B. 16. An Act for protection of Game and Fish.

To Committee on Fish and Game.

By Mr. Britton:

H. B. 17. An Act providing for the election of county Superintendent by popular vote.

To Committee on Education No. 1.

By Mr. Kemper:

H. B. 18. An Act establishing and designating the road leading from the Marion-Princeton State Highway near the residence of Fliffie McClure in Crittenden county via Mexico, Frances and Dycusburg in Crittenden County, and Koon and Kuttawa Mineral Springs in Lyon County to Eddyville, Lyon County, a part of the primary system of State roads to be known as State primary road project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Robertson:

H. B. 19. An Act to provide for the construction of sewers in cities of the third class and the payment of same by general taxation or at the cost of the property owners, etc.

To Committee on Cities of the 2nd and 3d Class.

By Mr. Allen:

H. B. 20. An Act to amend an Act relating to the holding of Circuit Courts in 31st Judicial District.

To Committee on Circuit Courts.

By same:

H. B. 21. An Act to amend Section 2516 of the Kentucky Statutes.

To Committee on Kentucky Statutes.

By Mr. Graham:

H. B. 22. An Act conferring the right in an action to recover for a tort or negligence to sue the Insurance Company indemnifying another corporation or person against loss or damage by reason of such tort or negligence, either jointly with such person so indemnified or separately.

To Committee on Insurance, Life and Casualty.

By Mr. Swearingen:

H. B. 23. An Act to amend Section 203 of the Criminal Code of Practice Seventh Edition, 1927, edited by Hon. John D. Carroll.

To Committee on Codes of Practice.

By same:

H. B. 24. An Act to repeal Section 241 of the Criminal Code of Practice, seventh edition, edited by the Hon. John D. Carroll.

To Committee on Codes of Practice.

By same:

H. B. 25. An Act to change and fix the time for, the place and terms of Court in the Twentieth Judicial District.

To Committee on Circuit Courts.

By same:

H. B. 26. An Act to amend section 209 of the Criminal Code of Practice.

To Committee on Codes of Practice.

By same:

H. B. 27. An Act changing the closed season on certain furbearing animals; provisions for disposition of fines, provision for license for fur dealers and penalties for violation of the provisions of this Act.

To Committee on Fish and Game.

By Mr. Hagan:

H. B. 28. An Act creating a new primary road project between Four Corners on the Salt River Road and extending thence and intersecting with the Dixie Highway north of Elizabethtown, Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 29. An Act creating a new primary road project to be known as State Primary Road Project No. — to begin at the terminus of the present survey of the Cecelia and Garfield road and running thence across the Hardin county line to Dyer in Breckinridge county, Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 30. An Act to amend Section 2132 of Carroll's Kentucky Statutes, relating to the interest that a surviving husband or wife shall have in the real and personal estate left by the deceased spouse.

To Committee on Kentucky Statutes.

By Mr. Swinford:

H. B. 31. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

To Committee on Roads and Highways No. 2.

By Mr. Prather:

H. B. 32. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

To Committee on Roads and Highways No. 3.

By Mr. Fowler:

H. B. 33. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth,

providing for the issual and revocation of same, the recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

To Committee on Public Safety.

By same:

H. B. 34. An Act to provide for and to authorize the refund and repayment of motor vehicle license fees, when such motor vehicle has been burned, junked, stolen or otherwise made useless to the owner thereof, or sold out of the state.

To Committee on Insurance, Fire and Marine.

By same:

H. B. 35. An Act defining the civil liability of owners of motor vehicles for damages caused by the negligence of their agents or servants, or by persons, or their agents or servants, intrusted by the owner with the use or possession of such motor vehicles.

To Committee on Kentucky Statutes.

By same:

H. B. 36. An Act to amend and re-enact subsection g of Section 2 of Chapter 109 of the Acts of the General Assembly of 1926, pertaining to motor vehicles.

To Committee on Kentucky Statutes.

H. B. 37. An Act creating a lien on motor vehicles for death or injuries to person or property by reason of the negligent operation thereof; making said lien superior to all other

mortgages, liens or debts on said vehicle, except liens for taxes or licenses; and providing for the recording of said liens.

To Committee on Kentucky Statutes.

By Mr. Gnau:

H. B. 38. An Act to amend Sections 4, 12, and 16, and 18 of Chapter 33 of the Acts of the General Assembly of Kentucky of 1916 entitled "An Act to provide an elective system of Workmen's Compensation for Industrial Accidents," and the same Act as amended by Chapter 176 of the Acts of the General Assembly of Kentucky for the year 1918 and the same Act as amended by Chapter 37 of the Acts of the General Assembly of Kentucky for the year 1920, and the same Act as amended by Chapter 50 of the Acts of the General Assembly of Kentucky for the year 1922, and the same act as amended by Chapter 70 of the Acts of the General Assembly for the year 1924, said sections to be amended are 4883, 4893, 4897 and 4899, Carroll's Statutes of Kentucky.

To Committee on Compensation for Industrial Injuries.

By same:

H. B. 39. An Act to repeal and re-enact section 2118, Kentucky Statutes, 1915 Edition, relating to remarriage of a divorced person.

To Committee on Kentucky Statutes.

By same:

H. B. 40. An Act to regulate the business of brokers and prescribing penalties for the violation of this Act.

To Committee on Banks and Banking.

By Mr. Handmaker:

H. B. 41. An Act to establish the Judicial Council of the Commonwealth of Kentucky and to provide its duties and expenses.

To Committee on Judiciary.

By Mr. Lewis:

H. B. 42. An Act to provide for the submission to the voters of this State of a constitutional amendment permitting in the future the submission of a greater number than two amendments to the Constitution to be voted on at any one time.

To Committee on Constitutional Amendments.

By same:

H. B. 43. An Act entitled "An Act to amend and reenact sections 498 and 498-a of Kentucky Statutes," 1915, compiled by the Hon. John D. Carroll, relating to release and assignment of lien and mortgage notes, defining the Clerk's duties and providing fees therefor.

To Committee on Kentucky Statutes.

By Mr. Thomas:

H. B. 44. An Act to make it unlawful to remove from automobile tires the serial number, or any mark or brand thereon; or to deface, disfigure, change or mutilate same; to require the sellers of tires known as "seconds" to stamp them with the seller's name; to make it unlawful for any per-

son, firm or corporation to have in possession any automobile tires upon which the serial number, mark or brand has been removed, defaced, disfigured, changed or mutilated; to require any person, firm or corporation selling tires known as "seconds" to stamp the name of the seller thereon and to provide penalties for the violation of this Act.

To Committee on Motor Transportation.

By Mr. Ryans:

H. B. 45. An Act to create Hospital Boards in Cities of the first class, to define their duties and powers, and provide for their support by taxation; authorizing the issue of bonds for their benefit; and enabling counties containing cities of the first class to levy a tax to defray the counties' expenses for the use of the facilities provided by such boards.

To Committee on Cities of the First Class.

By same:

H. B. 46. An Act creating the office of Purchasing Agent in counties containing cities of the first class, defining his duties and fixing his salary.

To Committee on Cities of the First Class.

By same:

H. B. 47. An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams, so as to connect such cities of the first class to construct, operate, control and maintain such bridges and fixing the powers and duties of such commission and providing for the issuance of revenue bonds of such cities to pay the cost

thereof payable solely through bridge tolls without the incurrence of indebtedness of any such city.

To Committee on Public Bridges and Ditches.

By Mr. Baldrige:

H. B. 48. An Act to repeal and re-enact sections 6 and 15 of "An Act to repeal and re-enact an act entitled 'An Act granting pensions to indigent and disabled Confederate soldiers, which act became a law March 11, 1912,'" and which Act repealing and re-enacting it was chapter 22b, Acts of 1914, page 115, and said sections 6 and 15 of the 1914 re-enacted Act are now sections 415b-6 and 415b-16 of the present 1922 edition of the Kentucky Statutes.

To Committee on Confederate Home.

By same:

H. B. 49. An Act to repeal sections 68b-4 and 68b-19 and all intervening sections and sections 68b-22, 68b-31, 68b-32, 68b-34, and 68b-36 of Kentucky Statutes, Carroll's Edition, 1922, and enacting in lieu thereof, and as part known as an act to promote and protect live stock industries in Kentucky, providing for the listing and taxation of dogs, prescribing the duties of officers in carrying out the provisions of the act and providing penalties for violation of provisions of the act.

To Committee on Agriculture.

By same:

H. B. 50. An Act to amend Project No. 34 of section 5 of Chapter 17 of the Acts of the General Assembly of Ken-

tucky of 1920 which is now section 4356t-5 of Carroll's Kentucky Statutes, 1922 Edition, relating to roads and bridges.

To Committee on Roads and Highways No. 3.

By same:

H. B. 51. An Act relating to roads and bridges and establishing a new project to be a part of the State Primary System of roads, beginning at the Garrett Highway at or near mouth of Lick Branch and extending to Tug River at or near the West Virginia Highway.

To Committee on Roads and Highways No. 3.

By same:

H. B. 52. An Act establishing a road project from the Mayo Trail via White House depot so as to intersect with the Garrett Highway, Project No. 34, at the head of Lick Creek.

To Committee on Roads and Highways No. 3.

By same:

H. B. 53. An Act establishing and making the road beginning at the Mayo Trail Project No. — at the Walker place in Johnson County and extending via Sitka and Sip, Kentucky, to Project No. — in Lawrence County, a part of the Primary System of State Highways of the Commonwealth of Kentucky and designating said road as Project No. —.

To Committee on Roads and Highways No. 3.

By same:

H. B. 54. An Act establishing a State Primary Road Project leading from Paintsville, Johnson County, to Raylton, Magoffin County.

To Committee on Roads and Highways No. 3.

By same:

H. B. 55. An Act establishing a State Primary Road Project from the Mayo Trail, Lawrence County, to Stidham, Martin County.

To Committee on Roads and Highways No. 3.

By same:

H. B. 56. An Act to establish a State Primary Road Project from Project No. 34 near Paintsville in Johnson County, Kentucky, via Davis Branch and the Big Sandy river to interesection of State Highway Projects No. 39 and 195.

To Committee on Roads and Highways No. 3.

By Mr. Meyers:

H. B. 57. An Act to provide for the creation of a Commission on uniform state laws, the appointment of commissioners thereto, and the payment of the expenses of such commissioners.

To Committee on Kentucky Statutes.

By same:

H. B. 58. An Act to amend sections 1954b-11, 1954b-17, 1954b-18, Kentucky Statutes, Carroll's 1922 Edition, changing the closed season on certain furbearing animals, provid-

ing that one-half of certain fines shall be credited to the Game and Fish Commission, and enacting new sections providing for a license and license tags for trappers and a license for fur dealers and making it unlawful for fur dealers to have in possession certain raw furs before November 15th, 1932, and providing penalties for violations thereof.

By same:

H. B. 59. An Act in relation to the practice of barbering, requiring the registration of barbers and apprentices, defining the practice of barbering of barbers and apprentices, setting out the exemptions to this Act, setting up the qualifications for certificates of registration as registered barbers and apprentices, establishing a minimum standard of professional education for barbers, providing for examinations and application for examinations to be allowed to practice barbering, providing for the establishment of certificates of registration, providing for the licensing of barbers having practiced barbering in another State or country, and for the present practitioners, for the renewal and restoration of certificates, for the refusal and revocation of certificates, providing for license fees to be paid, providing for hearings of accused barbers before the Board, setting out certain acts prohibited and the punishment therefor, defining perjury, providing for the establishment of a Board of Barber Examiners, for the election of a secretary and a president, for their compensation, setting out the duties of said Board, granting authority to the Board to make rules and regulations for the administration of this Act, for the posting of such rules in the barber shops and barber schools in the State, and to keep a record of its proceedings, defining the duties of the Secretary, providing that if any part of this Act be unconstitutional, it shall not affect the validity of the remainder, and naming this Act, as the Kentucky Barber Act.

To Committee on Public Health.

By Mr. D. B. Smith:

H. B. 60. An Act relating to roads and bridges, and amending Chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky 1920, by adding thereto, as Project No. —, extending from Barbourville to Gatliff in Whitley County via Tye's Ferry on the south side of Cumberland River.

To Committee on Roads and Highways No. 2.

By Mr. Nichols:

H. B. 61. An Act relating to the operation of motor vehicles by non-residents of the Commonwealth on its Public Highways; to actions founded on accidents arising from such operation; to the manner of service of process in such actions; and to the duties of Circuit Court Clerks in reference thereto.

To Committee on Public Safety.

By same:

H. B. 62. An Act to change and fix time of terms of courts in the Tenth Judicial District.

To Committee on Circuit Courts.

By Mr. McKnight:

H. B. 63. An Act to establish State Primary Road Project No. — from East Bernstadt, in Laurel County, to McWhorter, in Laurel County, Kentucky.

To Committee on Public Highways No. 2.

By same:

H. B. 64. An Act amending that part of Section 965, Kentucky Statutes, relating to the time for holding courts in the 28th Judicial District.

To Committee on Circuit Courts.

By same:

H. B. 65. An Act to establish State Primary Road Project No. — from London, in Laurel County, Kentucky, via Johnson Hill to Burning Springs in Clay County, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Bowman:

H. B. 66. An Act to repeal and re-enact Section 2554d-2, Kentucky Statutes, Carroll's Edition 1922, relating to persons securing the arrest and conviction of offenders in moonshine cases.

To Committee on Criminal Law.

By Mr. Jeter:

H. B. 67. An Act entitled "An Act to evidence title to real estate held by inheritance."

To Committee on Kentucky Statutes.

By same:

H. B. 68. An Act establishing and making the road from and beginning at a point three-quarters of a mile south of

Shelby City, Boyle County, Kentucky, and running eight miles to Stanford, Lincoln County, Kentucky, a distance of approximately eight miles to be known in the future as the Isaac Shelby Highway, a memorial to Kentucky's first Governor, and the same be and is hereby made a part of the Primary System of the State Highways of the Commonwealth of Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 69. An Act establishing and making the road from and beginning at a point near Halls' Gap in Lincoln County, Kentucky and running to Ottenheim, Lincoln County, Kentucky thence to Crab Orchard, Lincoln County, Kentucky, a part of the Primary System of State Highways of the Commonwealth of Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Burnam:

H. B. 70. An Act to amend and re-enact Section 4 of Chapter 622 of the Acts of the General Assembly of 1914, relating to insurance policies and certificates, being Section 679 of Carroll's Kentucky Statutes 1922 Edition.

To Committee on Insurance, Life and Casualty.

By Mr. White:

H. B. 71. An Act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920, by adding thereto Road Project No. — extending from Black's Ferry, Monroe County, to Meshack, Monroe County and intersecting Project

No. — leading from Burkesville, Cumberland County to Tompkinsville, Monroe County.

To Committee on Roads and Highways No. 2.

By Mr. May:

H. B. 72. An Act to amend Section 415b-6 Kentucky Statutes, Carroll's 1922 Edition, which same relates to Confederate soldiers' pensions.

To Committee on Confederate Home.

By Mr. Charlie Smith:

H. B. 73. An Act requiring owners or operators of coal mines, steel mills, foundries, machine shops and other like businesses, where 15 or more men are employed, to provide wash rooms for employees and provide penalties for failure so to do, and provide for inspection, maintenance, and regulation of such wash rooms.

To Committee on Mines and Mining.

By same:

H. B. 74. An Act to provide for the safety of persons employed in and about coal mines, and to provide for the examination of persons seeking employment therein, in order that only competent persons may be employed as miners and to create a board of Examiners for this purpose and to provide a penalty for violation of same, and appropriating certain funds to pay the salary and expenses of such board.

To Committee on Mines and Mining.

By Mr. McRohan:

H. B. 75. An Act to amend and reenact Subsection 4 of Section 606 of Carroll's Kentucky Civil Code.

To Committee on Codes of Practice.

By Mr. Benton:

H. B. 76. An Act to repeal and re-enact Section 2380, Subsection 7, Kentucky Statutes, Carroll's Edition, 1922, relating to the appointment and qualification and compensation of Drainage Commissioners and the salaries of their secretaries.

To Committee on Public Ditches.

H. B. 77. An Act to repeal and re-enact Section 2380, Subsection 46, Kentucky Statutes, Carroll's Edition, 1922, relating to employment of attorneys by Drainage Commissioners.

To Committee on Public Ditches.

By Mr. Murphy:

H. B. 78. An Act to amend Section 5, Project 32 of Chapter 17 of the Acts of the General Assembly of 1920.

To Committee on Roads and Highways No. 3.

By Mr. Watkins.

H. B. 79. An Act relating to condemnation of rights of ways and payment therefor, repealing and re-enacting section 7 of chapter 17, Kentucky Statutes.

To Committee on Roads and Highways No. 1.

By Mr. S. K. Holland.

H. B. 80. An Act relating to dogs, the promotion of live stock industries and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, providing for listing of dogs by county assessors and penalty for failure to so list; providing for the assessment of damage done by dogs, and payment thereof by the proper county to the owners of live stock and poultry and of damages to licensed dogs; imposing powers and duties on certain state and county officers and providing penalties and fees.

To Committee on Agriculture.

By Mr. Weathers:

H. B. 81. An Act providing for a fishing license, for a closed season on fishing, for a bag limit and a length limit for black bass, crappie and trout, defining minnow seines and minnows, and providing penalties for violation thereof, and prohibiting the sale of or offering for sale of black bass and crappie.

To Committee on Fish and Game.

By same:

H. B. 82. An Act relating to Roads and Highways from Elkton to Sharon Grove in Todd County thence to Lewisburg in Logan County.

To Committee on Roads and Highways No. 3.

By same:

H. B. 83. An Act relating to roads and highways, creating a road from Trenton, Kentucky, to the Tennessee State line.

To Committee on Roads and Highways No. 3.

By Mr. Graham:

H. B. 84. An Act to appropriate the sum of \$184,145.66 for the use and benefit of the Kentucky State Industrial College for colored persons for the training of teachers and industrial leaders.

To Committee on Normal Schools.

By same:

H. Res. 1. Resolution extending the benefits of House Resolutions No. 5, chapter 365, page 1039, Acts of General Assembly of 1926, being a resolution for the benefit of D. Owen Robinson.

To Committee on Kentucky Statutes.

Mr. Meyers offered the following concurrent Resolution, viz.:

Be it Resolved by the House of Representatives, the Senate concurring therein:

That when the House and Senate adjourn to-day, it be to meet again on Monday, January 16, at 1 o'clock P. M.

Said Resolution was adopted.

After a time a message was received from the Senate announcing that they had concurred in said Resolution.

The hour of eleven o'clock having arrived, that being the hour heretofore fixed tentatively by the Governor for his appearance before the Joint Session of the House and the Senate,

The Senate of Kentucky appeared and in order entered upon the floor of the House of Representatives, and the Hon. James B. Breathitt, Lieutenant Governor and President of the Senate, took the Chair and presided, and the Hon. John S. Milliken, Speaker of the House of Representatives, having taken his seat on the right of the President of the Senate, the two Houses were convened in Joint Session which was composed of a majority of all the members elected to each House.

Mr. Perry, Senator from Louisville, moved that the roll call of the two Houses be dispensed with.

Said motion was agreed to.

The Lieutenant Governor and presiding officer of the Joint Session appointed Messrs. Crossland, Ryans and Dorman of the House and Senators Walker and Brock as a Committee to notify the Governor that the two Houses had met in Joint Session and to escort the Governor to a place at the Clerk's desk.

After a time the said Committee appeared upon the floor of the House with His Excellency, Flem D. Sampson, Governor of the Commonwealth of Kentucky, who addressed the General Assembly in Joint Session as follows, viz.:

INTRODUCTION

To the General Assembly of the Commonwealth of Kentucky:

The Constitution makes it the duty of the Governor "to give to the general Assembly information of the state of the Commonwealth and recommend to their consideration such measures as he may deem expedient." In accordance with this mandate, I am transmitting herewith information of the state of the Commonwealth and am recommending certain policies and measures which I deem, as Governor of Kentucky, to be to the best interest of the Commonwealth. Allow me to say that I have no partisan program or selfish purpose to serve but seek only the general welfare of all the people of the State. It is and shall be my purpose to work earnestly and faithfully for the upbuilding and advancement of the educational, social, industrial and commercial activities of our people without regard to party affiliations, church relations, sex or color, and shall do everything I can to co-operate with the General Assembly in its work of giving to the State the legislation necessary to its growth and advancement.

Our revenues are not great in comparison with those of some other States and we must, therefore, exercise great economy in order that we may meet the urgent necessities of the several different agencies, branches and departments of the State government. It is my hope that a policy of constructive business economy in all of the activities of the State government shall be adopted and steadily pursued throughout the coming four years. Every dollar turned into the State treasury must be so employed as to give the maximum results in good for the State. I can think of no reason why we, as agents of the people, should not employ that same wise and frugal economy in the transaction and conduct of the State's business that is employed by successful men in their private enterprises. Fair and just in all things, we should buy in that market which will give the State the best prices, quality considered, and we should negotiate such con-

tracts in all undertakings of the State, including road and bridge building, the erection of public buildings and other public enterprises, that will give to the State the best results, and then require the contractor to live up to the spirit and letter of his undertaking, just as is done by men of recognized business ability in the conduct of private affairs. Such economy requires that the State employ only such servants and agents as are necessary to the conduct of the business of the Commonwealth in an efficient and expeditious manner and no person should be carried upon the payroll of the State or any of its agencies who is not needed and who is not earning for the State a return equivalent to the salary paid, or whose services in the maintenance of peace and good order are less than the salary and expenses of his office. No well conducted private enterprise carries on its payrolls any useless employees, and the State, in fairness to its taxpayers, must not do so. There are many economies in the administration and conduct of the public business which I think may be quickly and readily inaugurated and which, when added together, will save large sums of money needed for and which can be employed by the State in many useful if not absolutely necessary ways. There are some high salaried positions about the capitol building, held by persons who seldom come to their offices, leaving the duties entirely, or almost so, to their subordinates. If the office can be so conducted then these high salaried positions should be discontinued and the work carried on by persons drawing the smaller salaries and the State saved the bigger salaries.

Our Financial Condition.

For the year ending June 30th, 1927, we collected in revenues for the State from all sources the sum of \$29,548,222.21. Out of that sum we paid current state expenses to the amount of \$28,466,144.24. We now have an outstanding floating indebtedness of \$4,671,680. This floating indebtedness amounted to \$4,336,632 in 1926 and \$4,134,606 in 1925. For

How Each Dollar Is Expended. For Fiscal Year Ending June 30, 1927.

RECEIPTS

SOURCE	Amount	Portion of each Dollar	5c	10c	15c	20c	25c	30c	35c	40c	45c	50c
Tax on Gasoline	\$5,295,969.31	17.9										
Motor License	4,283,909.35	14.5										
Advalorem Tax (Real Estate)	3,899,650.79	13.2										
Advalorem Tax (Tangibles)	2,694,239.52	9.1										
Advalorem Tax (Intangibles)	2,429,402.49	8.2										
County Aid (Roads)	2,184,088.63	7.4										
Federal Aid	1,610,797.32	5.5										
Insurance Co.'s (Tax and License)	1,153,975.59	3.9										
Board of Charities and Corrections	757,970.75	2.5										
Inheritances Tax	667,393.57	2.3										
Corporation License	591,295.65	2.0										
Fines and Forfeitures	584,379.01	2.0										
Jefferson County Fees	548,018.94	1.9										
Tax on Franchises	494,533.10	1.7										
Racetrack License	386,666.68	1.3										
Distilled Spirits	372,223.35	1.2										
Miscellaneous	341,092.92	1.2										
Tax on Bank Deposits	335,225.52	1.1										
Corporation License	271,475.22	.9										
Interest	125,700.17	.4										
Department of Motor Busses	119,432.58	.4										
Banking and Securities Departments	77,542.54	.3										
Mortgage Recording Tax	73,979.87	.3										
Tax on Organization of Corporations	65,402.58	.2										
Tax on Building and Loan Associations	62,080.02	.2										
Tax on Oil	61,734.00	.2										
State Board of Health	60,042.74	.2										
	\$29,548,222.21	\$1.00										

DISBURSEMENTS

Roads	\$12,360,178.11	43.4
Educational	8,602,952.02	30.2
Board of Charities and Corrections	2,072,970.63	7.3
Miscellaneous	1,614,821.06	5.7
Government Board of Commissions	1,217,135.47	4.3
Dependants	521,054.48	1.8
Government Dpeartments	468,989.17	1.6
Criminal Prosecution	330,136.29	1.2
Jefferson County Fees.....	304,607.49	1.1
Ex-Service Men	282,380.01	1.0
Interest on Warrants	259,600.59	.9
Board of Health	238,673.78	.8
Printing of Books and Records	100,125.92	.4
Public Buildings and Grounds	92,520.22	.3
	<u>\$28,466,144.24</u>	<u>\$1.00</u>

your information, I have attached hereto a complete statement of the State's income from various sources, item by item, for 1927, and this statement shows for what purpose it has been expended, item by item. See table attached.

Sheriffs' Settlement.

Our statutes fixing the time of settlement of sheriffs with the Auditor should grant an extension of 30 or 60 days, so that the sheriff may have time to make his sales and make collections before settlement; but, this extension should only apply in cases where sales are necessary.

All land sales by the sheriff should be reported to the Auditor promptly, and where the State becomes the purchaser and the sheriff desires to receive credit on his books, he should make the claim within 6 months of the expiration of his official term. These last two suggestions will be to the advantage of the sheriff and of the State Auditor in making settlement, and will aid the State in quickly determining just what funds it has.

Jurisdiction of Justices.

Some plan must be devised by the General Assembly to remedy the situation in which our Justices of the Peace have unfortunately been placed. They are without jurisdiction to try cases in which fees are prescribed by statute as compensation for their services, to the Supreme Court of the United States and the highest Court of Kentucky have held. Many of our minor courts are not now functioning on this account, and this will unfortunately cause many of the smaller cases to go to the Circuit Courts and overcrowd their dockets, resulting in delay and great hardship. A remedy must be found as expeditiously as possible.

Our Educational System.

The free school is the basis of our educational system and it must be carefully directed and fostered. The term

should be lengthened and the curriculum amplified, so as to give the boy or girl who has only free school opportunities, as complete an education as may be obtained in the grades anywhere. The teachers of our free schools are and have been underpaid. Many of them, after spending years in the profession and becoming better qualified for the work, are forced to leave it because of the meagerness of the compensation. This is poor economy for our public schools. A careful study of the needs of the free schools must be made to the end that the system may be perfected and the teachers receive greater compensation.

Free Textbooks.

Kentucky has been making great progress educationally in recent years but she is not yet up to the standard in this respect. Most of the great progressive States of the Union are and have been giving, for years past, free textbooks to the boys and girls in the grades. This, I believe, has been of inestimable advantage and has raised the educational standards in those States. Kentucky has for one reason or another failed to adopt the free textbook system. This I think has militated against her educational system and is partly responsible for the backward condition of our free schools and no doubt has contributed largely to the illiteracy which is so prevalent in some sections of our State. Free textbooks was one of the leading issues of the recent political campaign and the people voted overwhelmingly in favor of free textbooks. I can think of no one thing that will do more to advance the interest of the children of the free schools than free textbooks. We furnish school houses free, with free desks and other equipment to the boys and girls, and then refuse to provide free textbooks which are equally as essential. It seems illogical to do so. I think Kentucky should take her place with the most advanced States of the Union and provide her boys and girls free textbooks for all the basic subjects in the grades. The books will cost the State a consider-

able sum of money, but we are now paying for them, and it will cost less to buy them in quantities, and, the burden will be more equitably distributed among the taxpayers. I, therefore, earnestly recommend the immediate passage of a bill providing textbooks in the basic grade subjects for all pupil children of the Commonwealth to be bought and paid for at public expense.

Money for Free Textbooks.

There is now, as I am informed, a large surplus in one of the divisions of the educational department, which it seems to me might well be appropriated to the purchase of text books for use in the public schools.

Another source from which we may derive revenues that should go to pay for such books may be found in a moderate privilege tax on sand and gravel taken and to be taken from the Ohio river along the borders of our State, all of which is in Kentucky, and from other navigable streams inside of the State boundary. This sand and gravel belong to the State and are of great value. Many concerns are now and have been for many years past engaged in digging and removing such sand and gravel from navigable streams in the State without in any manner compensating the State therefor. This sand and gravel thus taken by these different individuals and concerns are sold on the market and some of these operations have been highly profitable. It is conservatively estimated by those acquainted with this business that during the year 1927 there were taken from the various navigable streams within the Commonwealth hundreds of thousands of cubic yards of sand which cost the consumer approximately \$1.00 per cubic yard, and there was taken from the same streams during the same period a like cubic yardage of gravel, which was sold to the consumer at approximately \$1.00 per cubic yard. A privilege tax of ten (10c) cents per cubic yard on sand and gravel so taken would produce an annual revenue sufficient, it is estimated, to take care of the school textbook

needs. If it does not produce enough in a single year, to buy a complete set of books, these revenues would soon accumulate a sum sufficient for that purpose, and thereafter would provide annually a sufficient sum to make books available for oncoming students. As our children already have the necessary books on hand to run them for the next year, except for new pupils, we may be able to await the accumulation of the needed revenues. It may be found to be expedient to proceed along this line.

Changing of Textbooks.

Our textbooks have been changed too frequently. This has cast a great burden on the parents of school children. I think the law should be changed so as to make the textbook commission more responsive to the wishes of the taxpayers and less willing to serve the publishers of textbooks. The textbook adoption law, as it now stands, is largely on the side of the publishers as against the people. If the present law were repealed and another enacted which would allow the textbook commission to suggest changes effective twelve (12) months in advance, provided the people at the next general election should approve the adoption, many of the arbitrary changes would be avoided. Or, like results might be obtained by submitting the adoption to all members of the county boards of education throughout the State, to become effective when as many as two-thirds of the individual members of all the county boards had approved the adoption. These members of the County Boards are close to the people and are therefore more responsive to their wishes than is the textbook commission. Past experience teaches that more effective safeguards should be thrown around this commission.

State Normal Schools.

The State is justly proud of its normal schools maintained for the training of teachers. It is doubtful if any state in the union has made greater progress in recent years along this particular line than Kentucky. These institutions, two

of them new and functioning satisfactorily, and two older and well tried, must continue to have the liberal support of the Commonwealth. The normals at Morehead and Murray have beautiful, well-equipped plants, almost complete, and will not need so much help in the immediate future as the normal schools at Richmond and at Bowling Green.

Colored Normal Schools.

The colored normal school at Frankfort has contracted for the erection of a new girls' dormitory, costing, furnished, \$184,145.64, and this building is an absolute necessity, the old one having been destroyed by fire since meeting of the last General Assembly. An emergency appropriation for this dormitory should be made. This school has been making wonderful progress and has accomplished great good for the colored race in Kentucky. It should have more liberal support from the State than it has been receiving. Every dollar of its appropriation has been well used, helping colored boys and girls to an education. The colored people need and must have a standard college, and this school is perhaps the only opportunity for the race to be supplied with such an institution. As the law requires teachers of certain schools of the State to be college graduates, the race must have a college which they may attend. The only other training school for colored teachers provided by the State is located at Paducah, and has been receiving a very small appropriation from the State and struggling along under great difficulties. It deserves and should have a more liberal appropriation and should be more carefully supervised. At least one more industrial training school for colored students should be established at some convenient point in the State as soon as funds for the purpose can be found. Better supervision and more encouragement of free schools for colored children of the State must be afforded. It seems but just that the colored schools should have supervisors selected from the professional teachers of their race whose interest in these particular

schools cannot possibly be diminished by race prejudice, instead of white supervisors .

Board of Education.

The educational forces of the State of Kentucky, through their leaders, are seeking to have enacted into law a bill providing for a State Board of Education commensurate with the educational needs of the State. Sentiment has finally crystallized and determined upon the following points that should be embraced in a bill providing such a Board, composed of the Superintendent of Public Instruction and eight other persons.

Members other than the Superintendent of Public Instruction to be appointed by the Governor for a term of four years;

That the appointive members shall be divided equally politically;

That the terms of the members shall be overlapping in order to give the board continuity;

The State Superintendent being ex-officio member and chairman of the board.

There is no criticism of our State Board of Education as to the specific acts of any board past or present. Two of its members are elected to offices that have no connection whatever with educational matters, and it is admitted as but right that they should give their time to the duties for which they are selected and for which the people hold them responsible. But it is said by the teachers that it is time Kentuckians arise in their majesty and demand that we have a board of education commensurate with school needs. As argument in favor of the bill it is said that with such a board a great deal of waste in our educational system can be eliminated, and a continuous program can be carried out, needless duplication can be removed and the whole system benefited.

Providing An Equalization Fund.

The educational forces of the State, through their leaders, are seeking the enactment of a law providing for equalization and stimulation funds which may be used to help the weaker and less fortunate counties to maintain public schools in some way commensurate with the needs of their people.

By actual consideration of educational conditions as they now exist it is found that a local levy of fifty cents on the \$100.00 of taxable property provides in some counties as little as \$3.00 per pupil child in the census of the county, while in other counties a fifty cent levy on the taxable property of the county provides as much as \$46.00 per pupil child in the census of the county. This great disparity in power to finance the education of the children of the county results in a great inequality of educational opportunity. The fund proposed is one separate and aside from the present school fund which may be used to help those weaker counties approach the medium of educational opportunity. Kentucky expends money in the other functions of her government upon a basis of need of individual and communities rather than upon the basis of population.

It is suggested by the school people that a fund of \$750,000.00 judiciously expended by a wise State Board of Education would do more to equalize educational opportunity in Kentucky than anything that has been done since the establishment of our public schools.

It is proposed that the General Assembly in some manner provide such a fund and place it at the disposal of the proper agency for aiding and assisting education in the counties which do not have the wealth to properly finance their own educational system.

Better Highways.

Although our State Highway Department is young, it has accomplished much good. However, there is much yet to be done. The Highway Department receives the greatest share of our State revenues. The people are more interested

in the completion of our primary system of highways than any other single subject in Kentucky right now. While some of our counties have their road system about completed, there are many others that have little or no hard surfaced roads, and it is in such counties that the work must be pushed as rapidly as possible. The Department has already laid out and almost completed several trunk roads through the State, such as the Dixie Highway, the Midland Trail, the Ohio River Road, the Jackson Highway, and others, but hardly any of these roads are entirely completed. It is my opinion that the gaps in these roads should be finished as speedily as possible. When that is done, I am of the opinion that we should prosecute the work of completing our primary system in every part of the State with diligence.

In the Highway Department I think we can effect many economies. It seems that there is too much overhead in the Department and that the engineering costs too much per mile.

I would suggest that we use more Kentucky materials in the construction of roads and thus save freights. It would also seem that we might use some of the surplus labor at the prisons in rock quarries, gravel pits and asphalt mines, in the preparation of these road materials, and thus save large sums of money each year for the State.

I doubt the wisdom of employing prison labor directly in the construction of highways, but I am of the opinion that such labor may be successfully employed in quarries, gravel pits and asphalt mines, where the men can be safely confined and adequately protected and cared for. The objection that the public generally makes to the employment of prison labor upon highways would not be pertinent to employment of the same labor in quarries, pits and mines, properly conducted.

If we are to pursue a policy of economy in the road department, we must reduce and keep the payroll at the minimum consistent with efficient and progressive administration of the affairs of that department. The suggestion from some quarters that the membership of the Highway Commission

should be increased from four to six members would not seem to be in the interest of economy; on the contrary, it would appear to be a method which would increase the administrative costs in more than one way. The salaries of the new members and their traveling expenses would be a considerable sum, but there is another element greater than that. The more numerous the membership of a board or committee, the slower it functions and more frequent the delays. It takes a greater number to constitute a quorum, and when all are present each must have his say and more time is consumed in determining every question, although the results in the case where the smaller body acts are not different from those of the larger body. We are now used to functioning with a Highway Commission composed of four members, and it would perhaps upset the organization to reduce it; otherwise, I would recommend a reduction.

Attorney for Highway Department.

The Highway Department makes and carries out many and varied contracts each year. Some of these written contracts are long and intricate and should be carefully scrutinized by a trained and experienced lawyer. Many millions of dollars are involved and no private concern would chance the complications that are likely to result without the aid of skilled legal counsel. I am, therefore, of the opinion that one or more Assistant Attorney General should be provided and this, I think, would remove necessity for employment of special counsel as in the past, in any case, and consequently result in a large saving to the State.

Toll Bridges.

Our people are not satisfied with the perpetual toll bridge, and it is very poor economy. More than one toll bridge over Kentucky streams has come under my observation which receives in tolls a sum each year more than sufficient to pay the entire cost of constructing and maintaining the bridge.

This is very unfair to the traveling public and I urge the passage of a measure that will be adequate in definite terms to allow the Highway Department to condemn these bridges for the public use and thus free them, even if it is necessary in order to raise funds to pay the price to continue for a limited time the collection of tolls.

The Highway Department has been making careful study of the toll bridge question for some months past and have reached the conclusion that from twenty to thirty long highway bridges, mostly in western Kentucky, must be erected in the near future where toll ferries now exist, for accommodation of the traveling public. These bridges will cost enormous sums of money and this money is not at present available in the Department. All must concede that a toll bridge is better than a toll ferry. The Highway Department has suggested the organization of a bridge corporation under an Enabling Act, which act will permit the issual of bonds of the corporation under the supervision of the Highway Department for a sufficient sum to cover the costs of each and all of these bridges, no bonds to be issued except to cover the legitimate costs, such bonds to bear a moderate rate of interest—say not more than five or six per cent.—all secured by a lien on the bridge property and the tolls resulting from operation. The Commonwealth will not be liable on the bonds. When completed these bridges are to be operated under the direction of the Highway Department and tolls collected until the full cost of the bridges together with the interest are fully paid, at which time the bridges are to become the property of the Commonwealth and free to the public.

There can be but one objection to this plan, and this I think can be removed by careful application of strict business principles to the drafting of the Enabling Act and the contracts with the bonding company. A number of bridge concerns are anxious to provide the money for such projects, but some of them want an exorbitant profit which they hope to realize in this way: (1) Turn in a toll ferry franchise at an

overvaluation, and (2) charge an unwarranted organization, promotion and attorney fee. These water profits must and will be carefully squeezed from the proposition before the State enters into any contract. All such bridges must be designed and erected under the direct supervision of the Highway Department and subject to the approval of that Department. These bridges when erected on a fair cost basis and economically operated on the toll system will free themselves and become the property of the State in a comparatively brief period, from one to five years, depending upon the motor traffic along the highway. This system will realize much of the cost of the bridges from non-resident tourists who pass through the State, and from those who travel through the State from the north to the south and the east to the west and back again.

Gasoline and License Tax.

Our greatest source of revenue for road construction is derived from the gas tax and automobile license tax. All agree that the gas tax is the most equitable that can be designed for road purposes, because it falls directly upon the person who uses the roads and brings about their deterioration. There is objection from some persons to the imposition of the license tax, and it is urged by others that this tax should be materially reduced. The license tax was the first system adopted by the different states for the raising of road revenues and its employment has been fully justified. The day is not far distant when it will be quite within the sound and plain economic duty of the road department to recommend a reduction for both the license tax and the gasoline tax, but conditions do not now appear to warrant such a step. If we are to continue our road building program, as undoubtedly we must, we must maintain our license and gas taxes at their present rate. When the primary system is completed the license tax may be partially or wholly repealed, but until then a progressive and constructive spirit would recommend a continuance of these sources of revenue.

Industrial Development.

Our State, rich in natural resources and advantages, is largely undeveloped. The want of industry with payrolls to take care of our man power is manifest to the most casual observer. Many of our bright, capable men and women are forced to leave our State to find employment in the industrial concerns of other states. This should not be, but to change it, we must induce outside capital and outside brains to join with capital and brains of Kentucky in the establishment of manufacturing plants, the development of our water power and the further prosecution of our mining industries. The raw material necessary in manufacturing, such as timber, minerals and coal, are easily available in our State. These facts, together with the further fact that we have an abundance of surplus labor anxious for employment, make Kentucky an ideal industrial location.

Development Bureau.

The want of fuller development along these lines is largely attributable to our failure to adequately advertise our resources and advantages to the outside world. We should cordially welcome outside business and capital. This should not be longer neglected. It is my opinion that the General Assembly should establish a State department for the advancement of industrial and commercial interests of the State, and, which may be used as the mouthpiece of the Commonwealth to induce new industries and different kinds of enterprises to locate in our State. This Bureau of Industries and Commerce should cooperate with the various Chambers of Commerce, Commercial Clubs and Industrial and Civic Organizations of the State for the development and advancement of our business interests. The outstanding importance of this subject, I unhesitatingly say, makes it advisable that the General Assembly make adequate provision for the establishment of such an agency for the carrying on of the work of inducing outside capital and enterprise to enter the State

and of advertising and promoting the best interests of Kentucky.

State Parks.

Our State is gradually acquiring desirable acreage in different sections for the establishment of State Parks, which is very gratifying. Several public spirited citizens owning land have made donations for this purpose, and others are proposing to do so, all of which we welcome.

Some of this property should be used for forestration purposes, game and fish, and other wild life preserves. One very generous person, a native Kentuckian, but residing in the East, has proposed to buy a large area in a very picturesque part of Kentucky and give it to the State for park purposes. If it is accepted, he will, no doubt, give largely to the improvement of this park. Other persons are similarly disposed. In my opinion, the propositions and suggestions should be welcomed and the generous donors, our benefactors, made to know that the General Assembly of our State is in hearty accord with their plans for the provision and beautification of public parks and recreational grounds of the State. There is some intimation that our statute authorizing the condemnation of land for park purposes is not altogether adequate. If so, this statute should be promptly amended, so as to vest in the State Park Commission full power and authority for the exercise of the power of eminent domain and thus enable it to acquire any and all lands reasonably necessary for public park purposes.

Cement Trust.

The great cement trust, a national organization, automatically controls the price of cement, one of the big elements in the construction of concrete roads. No matter where you buy cement, whether in California or New England, the price delivered is the same. No State excels Kentucky in the quality and quantity of its natural elements which go to make cement. The State's business, which is our business, requires

thousands of barrels of cement annually. Would it not be good business for the State to induce some cement concern not connected with the cement trust, to establish a plant or plants in different sections of Kentucky which, using Kentucky materials and employing Kentucky labor, would produce cement sufficient for all State needs, the State agreeing to specify this particular cement of specified high quality, in all road, bridge and similar public projects at a substantial reduction in price? Similarly we should encourage the establishment of sand and gravel and crushed stone industries in every section of Kentucky. In other words, I believe we should put business into the conduct of State affairs, compelling every dollar to exert its greatest purchasing power, negotiating the most advantageous contracts, and at the same time promoting the general welfare of the State by encouraging industry within its border. Our crying need is gainful employment for our surplus man power, and the plan above outlined would necessarily be of inestimable value in effecting immediate relief.

Help For The Geological Department.

The work of the geological department is the genesis of our mineral development program. The economic importance of the completion of the topographical base map of Kentucky has become very apparent because of the great saving which can be effected through its use in Kentucky's gigantic highway construction program. This department has been providing, through maps and reports, a key to the extension of our mineral industry. This service has been mapped 56 per cent. of the area of Kentucky. New mineral wealth valued now at about \$160,000,000.00 per year and increasing about 8 per cent. to 10 per cent. annually, comes to Kentucky as a result of this scientific work. These base maps and geological reports are of very great importance to our present program of development, and the balance of Kentucky should be thoroughly mapped and the Geological De-

partment authorized to make examination and report of the mineral resources in every section of the State. This work has been delayed because of lack of financial aid. In order that this important work may proceed with reasonable rapidity and that we may have this much needed information and assistance, I recommend that this department have more liberal support from the State.

Farm Relief.

The farmer is the great foundation source of wealth of the Nation. Everything should be done that can be done along sane and good commonsense lines, both by the State government and by the Federal Government, to bring prosperity to this great basic industry.

Dairying.

The year 1927 witnessed a great increase in the dairying interest of the State. Our dairy products for that year were of the value of approximately \$25,000,000. Kentucky is especially adapted to dairying, having many advantages over other States in this line of business which has proven so profitable in recent times. With a little stimulation the dairying business in Kentucky would amount to \$100,000,000 per year.

Board of Charities and Corrections.

We are now spending more than two million dollars annually on charities and corrections. This includes the prisons, the hospitals for the insane, the school of reform, the feeble-minded institute and other like institutions. The Reformatory grounds and buildings at Frankfort are inadequate for present needs. Information comes to me that many persons are paroled by the Board because it is necessary to make room for incoming prisoners. This is a deplorable state of affairs. It is ruinous and must be remedied either by enlarging the prison at Frankfort or by acquiring a new site and building a new prison, or by employing part of the prison

labor in sand quarries, gravel pits and asphalt mines in the preparation of road material, as already suggested. It has been suggested by some of the members of the Board of Charities and Corrections that a large acreage of farming land be acquired at some convenient place and the erection of a prison by the use of prison labor be commenced and prosecuted from year to year until completed, employing a large portion of prison labor and at the same time gradually providing new space for prisoners in the new institutions, thus taking care of the surplus at the old prison. This would, however, cost a large sum of money. The farm acreage would necessarily be large because there are now more than sixteen hundred prisoners within the walls at this one institution. It is estimated that from two to three thousand acres will be necessary. A body of land of this size, if of fair fertility, suitably situated, would cost a large sum of money, and this would be the initial outlay. Under the present state of the Commonwealth's finances, I cannot see my way clear to recommend the immediate acquisition of a new prison site.

Conditions at the Eddyville prison are much the same as they are at the Frankfort institution except that the number of inmates is only about seven hundred to eight hundred. The superintendent of the Reformatory at Frankfort reports that the income from the labor of prisoners, under his care, with careful management, is sufficient to pay all the expenses of the institution. This is not claimed for the prison at Eddyville, but it is within the reasonable expectations of the State to make each of these prisons self-sustaining, and this should be brought about at the earliest possible moment.

Contract Labor.

There is now as has always been some dissatisfaction with the contract labor system at the prison. Some thinking persons are uncompromisingly opposed to the sale of such labor by the State and there are some good reasons against it. But in the absence of a better plan we will of necessity con-

tinue under the contract labor system until something new and better is devised; especially is this necessary with a depleted treasury. I for one would not be willing to impose a large burden on the taxpayers to carry the cost of these prisoners while the labor is employed at some unprofitable work.

Hospitals For Insane.

Those in charge of the hospitals for the insane at Lexington urge the construction of a larger plant and the purchase of additional acreage for farming purposes. The institution is overcrowded, and it will soon be necessary to enlarge this institution, or establish another of like character at some other point in eastern Kentucky.

It is also suggested that a training school for nurses and attendants at this and the other hospitals in Kentucky be established and regularly maintained. Such a school would add to the competency and efficiency of all attendants. This would require the employment of a teacher or teachers, and the adoption of a system that will require those employed as nurses and as attendants at the institution to devote a given number of hours each day in addition to their regular working time to class room work and the reading and study of texts upon the subject of care, attention and treatment of persons afflicted with nervous and mental troubles. It is easy to see that such training is essential to the best interest of the patients and the success of the institutions. I believe that a plan of this general nature should be worked out by which training school work may be given.

Our other hospitals for the insane have suggestions to take care of their needs, somewhat similar to those above, which are set out in letters to the Governor and made part of the supplement to this message.

Feeble-Minded Institute.

The Feeble-Minded Institute at Frankfort has 527 inmates and has a long waiting list. Since I have been in office

more than one mother has written to me asking that I take some action to get her feeble-minded child into the institution and telling me that application has been made but that the institution is overcrowded and that her child cannot be received. This is a sad situation but one that can be remedied by enlarging the institution. It already has a good sized farm and many of the male inmates work thereon and raise food for the sustenance of those unable to work at the institution. It also maintains a school for the training of those who have mentality enough to acquire the rudiments of an education. One new building is being erected on the ground now and others are needed for the housing and training of these poor unfortunates. Only white children are received at this institution.

Institution For Feeble-Minded Colored Children.

The injustice of maintaining a feeble-minded institute at public expense for white children only is too apparent to require comment. A farm of reasonably large acreage properly located must be acquired by the State and a plant for the care and training of colored children of our Commonwealth erected as speedily as possible in order that we may not violate the equal protection clause of our Constitution and of the Constitution of the United States, and may ease our conscience of the pang born of neglect of so large a group of our citizenship. I, therefore, urgently recommend that suitable provisions be made for the acquisition of necessary grounds and the erection of necessary improvement for that purpose.

Blind and Deaf Institutions.

We must not overlook our splendid institutions for the deaf and blind. They are each doing a wonderful work and appear to be employing the appropriations made by the State frugally and for the betterment of the inmates of their respective institutions.

Currency of State Warrants.

Our State Treasury now receives and disburses for all purposes, approximately thirty million dollars annually, a goodly sum. When cash is not on hand to meet obligations, interest bearing non-negotiable warrants are issued by the State to its creditors. These warrants are nothing less than promissory notes or bonds of the State, and at certain periods of the year amount to millions of dollars. As now issued they are not as liquid, as current, as they should and could be made. The payee, unable to get his money, pursuant to the State's contract, is required to accept non-negotiable paper—a hardship which in many instances ties the hands of the State's creditor and hampers him in his business operations: If the bank takes the warrant at the instance of the State's creditor it has upon its hands a frozen loan, so to speak. If these obligations of the State were made payable to bearer and were given a due date and placed upon the footing of commercial paper their negotiability would greatly expand, the rate of interest would be materially reduced, the State's credit strengthened and advantages of equal importance to the payee would result.

Law Enforcement.

Our State, like other states, has been suffering in recent months from the activities of those criminally inclined. This is due in part, no doubt, to lax law enforcement, and in part is due to the conduct and management of our penal institutions and the punishment inflicted. I think a prison should be a prison and that those who wilfully violate the law should feel the weight of its penalties. Our penal institutions should require at least eight hours of labor from its inmates, and a few hours each day should be devoted to teaching and training school work at which all the inmates should be required to be present. These institutions should be busy places, employing all the waking hours of the inmates.

Mob Violence.

Recently mob violence has brought disgrace to Kentucky. All Kentuckians understand that one determined public official in the right, properly armed, can stand off a mob and protect a prisoner. If the statutes upon the subject are not sufficient to authorize the removal of every public official who stands by and allows a howling mob to take a prisoner and lynch or punish him, then it should be made so. Each such public official must be removed from office. As Governor I shall do everything in my power to prevent such outrages and to punish all those who wink at law violations or who acquiesce therein.

Elections.

Under our present system elections are too frequent. Our people pass from one election into another, and as a result there is much political turmoil and strife. We should have a new Constitution or an amendment to the present one, providing for an election not more often than once in two years. In this way large sums of money would be saved to the State treasury and the people would suffer less economic loss and enjoy more peace and quietude.

Labor.

The prosperity of the State depends largely upon the fair remuneration of labor. Justice in this respect is of the utmost importance. The General Assembly should see to it that such statutes are enacted as will give to labor full protection and a fair opportunity.

Fish and Game.

There is an ever increasing interest in the preservation of wild life in Kentucky. Other states have provided preserves and sanctuaries for birds and game, and have stocked their streams with fish and as a result have plenty of hunting and fishing, and we can do the same thing by following a similar course, without expense to the State.

In the appendix to this message will be found a number of suggestions from experienced persons along this line which are worth careful study.

Fire Insurance on State Property.

But few taxpayers know the large sums expended annually by the State for fire insurance upon its buildings, furnishings and property. It has been costing the State too much money. It is considered by well advised persons that we have too much insurance and that our policies are costing us too high a rate. The premiums paid by the State amount to thousands and thousands of dollars, while the fire losses through all the recent years have been inconsequential. The State should arrange to carry its own insurance upon certain of its fire-proof buildings.

Kentucky Child Welfare Commission.

The charitable and compassionate men and women who constitute the Child Welfare Commission deserve the commendation and gratitude of all the people of the Commonwealth for the splendid work they have been doing and are doing for the under-privileged children of our State. This body of humanitarians, forgetful of their personal welfare, with an eye single to the betterment of conditions among the poor and lowly, should have due consideration, recognition and help by the General Assembly of the Commonwealth.

Crippled Children Commission.

The Crippled Children Commission through its several agencies has accomplished an unusual amount of good during the past year and should have the continued support of the State. I recommend to the General Assembly a careful study of the report of this Commission. There will be found in it facts concerning many marvelous bone corrections which have made crippled children walk on their feet and use otherwise helpless members of their bodies, thus making it possible for them to become self-sustaining.

Redistricting The State

Under section 33 of our Constitution it is the duty of the General Assembly to redistrict the State into legislative and senatorial districts every ten years. The last redistricting bill was passed in 1918, and a redistricting of the State is now due under the Constitution.

Subsidized Lobbies.

The General Assembly as well as all the people of Kentucky will gladly welcome suggestions from individuals and groups concerning legislation, but the subsidized lobbies which have existed around the State Capitol during past sessions of the General Assembly seeking to control much of the vital legislation that is presented to our law-making body for consideration, is a menace to free government. These lobbies are made up of the representatives of divers and sundry big interests, many of which have their places of business outside of the State of Kentucky. This lobby has no excuse for existence except selfishness and greed. It is the darkest blot upon the fair name of Kentucky. The General Assembly can easily give the paid lobby to understand that its presence is not desired and it will vanish. Such action will receive the universal approval of the people.

Supplement.

In order that the General Assembly may have all the facts as well as the suggestions and recommendations which have come to my hands concerning any State policy, agency, institution or department, I have compiled in a separate folder, all the letters and reports of this nature, and submit them herewith for your consideration. While I am sure that many of these suggestions and recommendations are wise, I am also certain that the State has not the money with which to carry them all out at the present time. However, in the multitude of counsel as this is, ways and means for the adoption of many of these suggestions and recommendations and

the financing thereof, may be worked out to the great benefit of the Commonwealth.

These recommendations, suggestions and facts, together with the accompanying supplement, are submitted to the General Assembly for its information and consideration.

F. D. SAMPSON,

Governor of the Commonwealth of Kentucky.

January 11, 1928.

SUPPLEMENT TO THE MESSAGE OF GOVERNOR SAMPSON

Delivered to the General Assembly January 11, 1928,
Frankfort, Kentucky.

Dairying

The General Secretary of the Dairying Products Association of Kentucky, Incorporated, 206 Republic Building, Louisville, wrote Governor Sampson on January 6, 1928, as follows:

Dear Sir:

At the request of Mr. John Kloecker and other dairy products manufacturers, we are describing the primary needs of Kentucky's Dairy Industry for your guidance in presenting these facts to the present legislature for its favorable consideration:

Twenty to twenty-two per cent. of the nation's food dollar is spent for dairy products. The 1926 value of dairy products in the United States are three and one-third billion dollars or twenty-six per cent. of the value of all farm production for the same year. Dairying is, therefore, recognized as America's largest industry.

The rapidly increasing populations of Northern and Eastern cities are causing the whole milk sheds of those cities to be so expanded that the potential milk and cream centers of the North are being crowded into the less developed fields of the South, where new and promising locations are being sought and developed. These changing centers of production will logically migrate to the state or states where the natural conditions are enhanced by dairy research and by men well trained in dairy manufacturing.

Kentucky is not adequately prepared to effectively and encouragingly serve the manufacturing branches of this great industry, already within its borders, nor it is ready to receive these northern enterprises.

The natural conditions for dairying in Kentucky are superior to the natural conditions of any other state in the South. A program of scientific dairy research and instruction together with these natural resources should double the present annual value of Kentucky's dairy products which is now conservatively estimated at twenty-five million dollars for 1927.

Kentucky's real need for further advancement in the dairy industry is the establishment of a well organized dairy department at the University of Kentucky. It is imperative that this department be properly equipped with a building and funds for research and investigational work along the lines of dairy manufacturing. The per capita consumption of dairy products in Kentucky is approximately one-half of the amount that is prescribed for health by the best authorities of the nation and, therefore, this proposed dairy department should also be qualified to educate and advise the consumer. Likewise, to stimulate farm dairying, this department must be competent to instruct the producer in the management, breeding and feeding of dairy cattle.

Yours respectfully,

CARLTON, BALL,
General Secretary

Interracial Commission

James Bond, Director Interracial Commission for Kentucky, wrote Governor Sampson on January 6, 1928, as follows:

Governor F. D. Sampson,
Frankfort, Kentucky.

My Dear-Sir:

In accordance with your request in our interview yesterday, I am sending you this letter emphasizing the three points touched upon in the interview.

I. INSTITUTION FOR FEEBLE-MINDED NEGRO CHILDREN.

The organizations throughout the State behind this movement will be delighted to know that you will ask in your address to the General Assembly for an appropriation for this cause. Little further might be said except to call attention to the very great need.

(a) Negro parents who are unfortunate enough to have feeble-minded children must care for them in their homes or have them sent to institutions for delinquents or criminals. It can be readily seen what a risk these parents run in having these feeble-minded children grow up in the home among the other children. In my experience as a school teacher I found that many families having such feeble-minded children send them to school where, of course, they could learn nothing but where they were the source

of annoyance, in many cases destroying the morals and discipline of the school.

(b) It is said that many of the serious crimes committed by Negroes in the State in the last fifty years have been committed by feeble-minded Negroes and that more than one lynching has been caused by the acts of these feeble-minded Negroes to say nothing of the racial bitterness their irresponsible acts have stirred up.

The State of Kentucky in the last fifty years has probably spent hundreds of thousands of dollars in court procedure in handling cases committed by feeble-minded Negroes, when a small per cent. of that money if spent in providing proper housing and maintenance fund would have prevented this enormous court cost and other results mentioned above.

II. LYNCHING.

It is gratifying to note that the crime of lynching is gradually disappearing from our land. There were sixteen lynchings for the year 1927, all Negroes.

The accusations against the Negroes were murder and attempted murder, 13; rape, 1; beating a board bill, 1; improper relations with a white woman, 1; two were burned alive and one was burned after lynching. You will note that only one was charged with the crime of rape. The lynching states for 1927 are Mississippi, 4; Arkansas, 3; Tennessee, 3; Florida, 2; and one each for Texas, Missouri, North Carolina and Kentucky.

It is therefore sincerely hoped that the sheriff and the jailer of Letcher County will be removed from office because of neglect in protecting a prisoner. It is reliably reported that the sheriff and the jailer had ample notice of the approach of the mob and that after the jailer had been removed from the jail, the only effort made by the sheriff to protect the prisoner was an appeal made by him to the mob against the lynching. As you so well said yesterday, guns in the hands of five or six determined men would have been more effective than mere words. We know you will act in accordance with the facts of the law in the case when they are all gathered.

III. EDUCATION.

Kentucky stands near the bottom of the list of Southern States in its provision for training of Negro teachers and leaders. According to the Negro Year Book issued by Tuskegee Institute only two states, Florida and Louisiana, give smaller appropriations for the training of Negro teachers and leaders than does Kentucky.

(a) While the law of Kentucky requires that the principal of every high school, black as well as white, shall have a college degree, the State has made no provision for obtaining these degrees by prospective colored teachers. And while the State of Kentucky requires the same pre-medical preparation and the same examination for colored as for white physicians and other professional men, the State makes no provision for this pre-pro-

professional preparation and the Negro boys and girls who seek professional careers are forced to go out of the State not only to enter their profession, but they must go out of the State for instruction which will prepare them to enter such professional colleges and universities.

While I write to you there are this very minute over a thousand Kentucky Negro boys and girls among the best that we have, who are in colleges outside of Kentucky getting ready to enter professional schools or are in the professional schools. Putting the annual cost to parents of these thousand boys and girls in railroad fare, board and tuition at the very conservative figure of \$400.00 each, it would be seen that the Negro parents in the State of Kentucky are annually paying out in railroad fare, tuition and board in other states approximately \$400,000.00.

(b) But serious as this is, it is not the most serious phase of the situation. Very many of these Negro boys and girls forming new contacts and associations, settle down permanently in other states, thus entailing a tremendous drain upon the best manhood and womanhood of the Negro race here in Kentucky.

(c) Another serious aspect of this whole situation is what might be mentioned in justice in the court, lynching, lack of educational and other facilities. Kentucky is losing every year a considerable portion of the best class of her colored Negro population in the State of Kentucky for the last thirty years of 10,000 or more each decade. Kentucky can ill afford to lose this class of citizens.

(d) What is required to meet the educational need of the colored people of the State, it seems to me, is a strong standardized college at Frankfort. But to be standardized so that credits may be acceptable to other standardized colleges of the country, there must be a certain number of professors with certain degrees and receiving certain salaries with certain equipment in the way of libraries, chemistry and physical laboratories, buildings, etc. This as you will see requires a real genuine educator at the head of the institution and trained experienced college men as heads of the various departments and other professors.

The other great need is a strong teacher and industrial college in the Western section of the State for at present it is cheaper and more convenient for the colored people of Western Kentucky to attend the Universities in Nashville, Tennessee, than come all the way across the State to attend the college at Frankfort. In this connection I would strongly advise against the establishment of a number of small schools with no prospects of any kind of adequate financial support. The time has past when a small sum of money, say forty or fifty thousand dollars, can establish or maintain a worthwhile educational plant.

(e) In this connection might be mentioned another crying need of the colored people. It is of an outstanding, thoroughly trained, conscientious, efficient Negro as supervisor of Negro schools in Kentucky.

(f) If, therefore, the Legislature could be induced to make worthwhile appropriations to these two schools referred to, say of two or three hundred

thousand dollars for the school at Frankfort and one hundred and fifty thousand dollars for the school at Paducah as the Legislatures of Tennessee, North Carolina, Georgia, and West Virginia have recently done, our schools would begin to approach facilities and standardization which would attract these thousand Negro boys and girls who are now out of the State and train up teachers worthy of the name.

In this connection it might be noted that there are possibilities of outside help. In the closing years of the administration of Dr. Colvin, former superintendent of public instruction, he informed me that the General Education Board, the great Rockefeller Foundation with millions back of it, had offered some \$250,000 for building for colored institutions in the State providing the Legislature would make similar appropriation, and providing further that the colored schools of the State should be taken out of politics. Neither was done and this generous offer of the General Education Board was allowed to go by default.

The offices of this foundation are at 61 Broadway, New York, N. Y. The trustees are seventeen in number; following are the officers: Dr. Wallace Buttrick, chairman; Mr. Wickliffe Rose, president; Dr. Abraham Flexner and Mr. Trevor Arnett, secretaries; Dr. E. C. Sage, assistant secretary; Mr. L. G. Myers, treasurer. One desiring to communicate with the Board should address letters to Dr. Abraham Flexner or Mr. Trevor Arnett, secretaries.

This board has granted relief in a generous way to such schools as Hampton Institute, Virginia; Tuskegee Institute, Tennessee; Howard Medical School, Washington, D. C., a number of colored schools in North Carolina and other states.

As I understand Mr. L. N. Taylor, in the office of the superintendant at Frankfort, is representative of this Board. Mr. Taylor would also be able to give information concerning other foundations such as the Rosenwald Foundation, the Phelps Stokes Foundation, the Anna T. Jeans Foundation, etc.

My suggestion would be to secure a survey of this situation as it relates to our State educational institutions for colored people by the General Education Board or some other outstanding agency with a view of finding out the exact situation and needs. It would then be up to the Legislature to make plans to meet these needs, calling in outside help whenever possible.

In this connection you will be interested to know and to have other people know the effect of education upon the Negro. You have often heard the expression that "education spoils the Negro" or "education makes a loafer or criminal of the Negro." On the contrary it is true that practically no educated Negroes are idle or criminal. The following facts are significant: Of 1,026 Negro convicts in thirty North Carolina prison camps recently investigated by the Research Department of the State University only three were rated as of high school grade. Thirty-four per cent. of the Negro convicts were totally illiterate and eighty-three per cent. unable to read the newspaper. Of the illiterate 268 were boys of school age between

the ages of fourteen and twenty, indicating as the report points out the failure to enforce the compulsory educational law. The following statistics gathered by the head of one of our private Negro schools are still more significant: Of the twenty or more colleges investigated with a list of 20,000 or more graduates and former students, there was found that less than one-half of one per cent. had ever been accused or much less convicted of crime. In your own experience, Governor, as Judge, I have no doubt you have found that the Negroes who have come into your court almost invariably have been uneducated and most of them illiterate and many of them feeble-minded.

I have written thus at length with the hope that the facts and figures given in this letter will not only enlighten your own mind but may further give you some data for use as you may make appeal for the education of the Negroes.

Thanking you for your kindness and patience and expressing my unlimited confidence in your purpose to deal squarely with the members of my race, I am, with cordial good wishes,

Yours truly,

JAMES BOND,

Director Interracial Commission of Ky.
State Y. M. C. A. for colored work.

Dr. E. E. Underwood, Frankfort, wrote Governor Sampson on December 21, 1927, as follows:

My Dear Governor Sampson:—

I am herewith reminding you of some of the needs of our race which call for legislative action, and concerning which I talked with you prior to the opening of your campaign at Lexington.

First. For our schools, we should like to have better and more sanitary buildings, increased equipment and facilities and better salaries for our teachers.

Second. We should appreciate a larger maintenance fund for our state schools and a more advanced curriculum of study in order that we might keep hundreds of our young men and women from migrating to other states.

Third. We should like to see our Kentucky State Industrial college at Frankfort raised to the standard of a first grade college and the West Kentucky Industrial College located at Paducah made a high class teachers' college.

Fourth. We should like to see the appropriations to our state schools largely increased. As a matter of fact the maximum amount appropriated to our State College at Frankfort is \$48,000.00 annually, while the amount appropriated to our West Kentucky College at Paducah is \$20,000.00 annually. Upon a per capita basis, the appropriations of other southern states

are from three to five times as much for their state colored schools of the same class as that of the Commonwealth of Kentucky.

Seventh. We should be very pleased to have, as was suggested by you, a State supervisor of Colored Schools.

Eighth. We should especially desire what seems to be a real necessity, in the establishment of a State Feeble-Minded Institution for the unfortunate ones of our race. Such an institution has been maintained for the whites for the part forty years at Frankfort, but there is no such provision made for colored people. Trustees or parents of the feeble-minded of our race are now paid \$75.00 per year, which is wholly inadequate for the responsibilities which they have.

I know that you are very busy in the discharge of the duties which have been imposed upon you, and I am giving you these facts with the hope that they may be of some service to you.

With best wishes, I am,

Very truly yours,

E. E. UNDERWOOD.

Fish and Game

The following suggestions were offered to Governor Sampson by Mr. Hodge of Danville, Kentucky, in regard to the Game and Fish Commission.

There is another department of our state government to which I wish to call your attention at this time. It is the Kentucky Game and Fish Commission. This department is constantly growing in importance because of the direct interest of at least 250,000 of our adult citizens and thousands of boys and girls who get the major part of their outdoor recreation and diversion in fishing and camping on our lakes and streams and hunting in our fields and forests.

It is the duty of this department to enforce the laws that pertain to game and fish and fur-bearing animals, to disseminate valuable educational literature and to take steps to increase the supply of game and fish available for our boys and girls and citizens who hunt and fish. This is most commendable as otherwise game and fish would soon disappear from within the borders of our state and barrenness in game and fish within our state would be most deplorable. This work should be kept up and augmented because of its need and great desirability.

I call your attention to the vast revenues derived by some states adjacent to us because of the excellent hunting and fishing within their borders. We have several million acres of land that is highly adapted for the production of timber, game sanctuaries and refuges. Pennsylvania, which has five times the population of Kentucky, is one of the best hunting states in the nation because of its system of game sanctuaries, refuges and public shooting grounds. This same system can be realized in Kentucky and once

again we can have plenty of deer, bear and other game for the hunter and sportsman. We have 12,865 miles of streams within our borders and we have but two fish hatcheries when we should have twenty. The establishment of game sanctuaries and fish hatcheries is most necessary to provide a continuous supply of game and fish for our citizens who love those things for the recreation they provide.

Nearly all other states are leading us in this work. This is largely a matter of funds with which to operate the department. Those states which are making the most progress are not doing so because of better territory or more and better streams, but because of the additional revenues which are at the disposal of the corresponding departments in the various states.

To provide this much needed revenue for the Kentucky Game and Fish Commission to do this work a number of Bills pertaining to game, fish and fur-bearing animals will be presented to the General Assembly for its consideration. Among them will be a Bill providing for a fishing license and certain regulations on several game fishes which are nearing extinction in our waters. The fishing license is modest and affects only those who can afford to pay and should pay their share in the upkeep of the constructive work of the department. At present, the hunter pays all the bill and the fisherman nothing, yet 65 per cent. of the activities of the Game and Fish Commission are devoted to fish and their protection. This is not fair and the fishermen should pay their proportionate share of the burdens of the department which devotes the major part of its activities for their benefit. However, the real reason and most important one for a fishing license is the need of funds to pursue the highly commendable work of the department.

The Bills were prepared by the Joint Legislative Committee on Conservation of the Kentucky Fox Hunters' League, the Kentucky Game and Fish Commission, the Kentucky Game and Fish Protective Association and the Kentucky Division of the Izaak Walton League of America. Mr. J. Quincy Ward is the chairman of the Joint Committee.

In view of the increasing importance of this department to the people of our state, I urge the members of the General Assembly to give their most serious consideration to the Bills pertaining to the Game and Fish Commission which come up for their consideration.

Penal and Charitable Institutions.

The following suggestions were submitted to Governor Sampson by the State Board of Charities and Corrections, Mr. J. E. Robinson, Chairman and Mr. B. T. Brewer, Secretary, in letter of January 8th, 1928.

Hon. Flem D. Sampson,
Governor of Kentucky,
Frankfort, Kentucky.

Dear Sir:

The State Board of Charities and Corrections desires to place before you, briefly, for your consideration, the needs of the institutions under its control, and its recommendations for certain legislation which it considers desirable:

(1) **General Maintenance Budget:** An increased budget for general maintenance and equipment is absolutely essential to provide proper care for the rapidly growing population, and for necessary repairs and replacements. General maintenance budgets have been inadequate in the past few years, and the board had available to it for the fiscal year ending June 30, 1927, \$208,071.96 less than for the fiscal year ending June 30, 1921, with which to care for 1,447 more inmates. The result is that plants have run down and larger expenditures than usual for repairs and replacements will be necessary in the next two years.

(2) **Increased Capacities.** Some provision should be made to increase the capacities of the institutions to care for the increased, and rapidly increasing, populations. There has been an increase of 1,447 inmates in the past six years and the average population for the fiscal year ending June 30, 1927, was 8,209. The present capacity of the institutions is 6,500.

(3) **Colored Feeble-minded.** One of the most urgent matters which we desire to present is that of the pressing need in this State for some sort of accommodations for colored feeble-minded children. At the present time there is absolutely no provisions of any character for this class of dependants. We earnestly request that some steps be taken to remedy this condition.

(4) **Fire Insurance.** It is recommended that some provision be made which will permit the board to carry its own fire insurance. At the present time, we are required by law to carry fire insurance on the institutions under our control, and although thousands of dollars have been spent to eliminate fire hazards, the rates have been increased nearly twenty per cent. since 1920. We have paid out since 1920, to and including June 30, 1927, the sum of \$250,573.63, in fire insurance premiums, and losses during the same period have only totaled \$15,314.23. Interest at six per cent. on the cost to the State of the premiums during the period covered would have amounted to \$69,437.39.

(5) **Sterilization.** We desire to recommend the enactment of a law which will authorize the sterilization of certain feeble-minded and insane persons.

(6) **Land for Farming Purposes, Penal Institutions.** The State owns no farm land whatsoever for cultivation by the penal institutions and large farms should be bought for both. Both of these institutions could be made

self-sustaining if they had farms for cultivation. At the State Reformatory at Frankfort a large tract, say 1,000 acres should be bought and upon such a tract a new penitentiary could be gradually erected, mainly by convict labor, and at small cost to the State. Employment of prisoners on farms would result in relieving population congestion at the two penitentiaries.

(7) **Land for Farming Purposes, State Hospitals.** Each of the three State hospitals for the insane should have additional farming land. At the Eastern State Hospital at Lexington there are less than 200 acres for cultivation. With the large amount of inmate labor available the overhead cost of these three institutions to the State could be materially reduced.

(8) **Enlarged Dairy Herds.** Every institution should have larger dairy herds, but these can only be maintained by increasing the acreage of the institutions.

(9) **Women Prisoners, State Reformatory.** A more segregated department and better quarters, for women at the State Reformatory should be provided.

(10) **Criminal Insane Building, Additional Unit.** An additional unit for the building for the criminal insane at the Central State Hospital should be constructed. Funds were appropriated by the 1926 legislature with which one unit was constructed.

(11) **Nurses' Home, Central State Hospital.** Attendants at the Central State Hospital have no sleeping quarters, generally speaking, except on the wards where they work. A separate building should be provided for them. There are Nurses' Homes at Both the Eastern and Western State Hospitals.

(12) **Automatic Sprinklers.** Both the Eastern and Western State Hospitals should be equipped with automatic sprinkling systems for the protection, both of the lives of the inmates and of the property. The Central State Hospital is sprinkled, as is the most hazardous section of the Feeble-Minded Institute and the shops at both the Reformatory at Frankfort and the Penitentiary at Eddyville.

(13) **Remodeling and Improving of Cottages at Greendale.** The remodeling and improving of the cottages at the House of Reform at Greendale should be continued, in order to provide more adequate and sanitary quarters for the inmates.

(14) **Plumbing.** Plumbing at practically all of the institutions is old, and in some instances unsanitary. Funds should be made available for the improvement of this condition.

(15) **Building for Epileptics.** A hospital exclusively for epileptics is desirable, in order that they may be given the proper special treatment. This would also relieve, to an extent, the congestion at the Feeble-Minded Institute and the three hospitals for the insane.

Respectfully submitted,
STATE BOARD OF CHARITIES AND CORRECTIONS
J. E. ROBINSON, Chairman
By B. T. BREWER, Secretary.

John B. Chilton, Warden of the Penitentiary, Eddyville, Kentucky, wrote Governor Sampson as follows on January 7th, 1928:

Dear Governor:

As per your request by phone today that I send you a statement as to the urgent and practical needs of the Kentucky Penitentiary at Eddyville, Kentucky, I have the honor to submit the following. They are numbered according to importance in my opinion.

FARM LAND.

In my opinion, additional farm land is the need of the hour at this institution. The State owns approximately fifty acres of land outside of the prison walls, of which only four acres are tillable, the balance being rocky hillsides, and can only be used for hog range. Farm land would not only be valuable for utilization of the mentally and physically defective inmates, but would soon repay the investment by decrease in cost of maintenance.

ADDITIONAL CELLS FOR PRISONERS UNDER DEATH SENTENCE

When the annex was built and electric chair installed in 1910 for execution of death sentences by electricity, only four cells were provided for those under death sentence, therefore any number confined over four necessarily have to be kept in ordinary cells, which are much smaller. In order that there could not be any chance of escape, prisoners confined under death sentence are kept in their cells continually. The four cells above referred to are extra large, well ventilated and with outside openings while the ordinary cells are small and not well ventilated and prisoners should not be kept in them continually. The average number confined under death sentence is about ten. I, therefore, recommend, as I have many times in the past, that additional cells be provided.

The front approach to the administration building erected many years ago of concrete and iron and on account of character of material used, and form of construction, will have to be rebuilt or repaired in the near future. Drawings, estimate of cost, etc., by architect are now in the office of the Commissioner of Public Institutions.

TELEPHONE SYSTEM FOR INSTITUTION.

A complete telephone system for the institution should be installed. Most institutions have such system, including the Reformatory at Frankfort. This would not only prove a great convenience but would be of great assistance in case of fire or trouble.

IRON WALKWAYS INSTEAD OF WOODEN ONES.

We have three cell houses on the west side of the administration building and one on the east side. The one on the east has concrete walkways,

but the three on the west side have wooden ones. So far as being a fire hazard, neither the engineer nor myself think the wooden ones amount to anything, but the Kentucky Actuary Bureau insists on the wooden ones being replaced with either steel or iron. As it would probably cheapen our insurance rate on these three cell houses, as well as being more satisfactory, I think steel or iron ones should be installed.

These, in my opinion, are the five most needed items at this institution. Any facts or figures needed as to the fiscal affairs may be secured from the central office of the State Board of Charities and Corrections as all book-keeping is done there.

If I can be of any further assistance, I will be glad to serve. Wishing you a most successful administration, I am,

Very respectfully,

JOHN B. CHILTON, Warden.

Wallis W. Durham, Superintendent Central Hospital, Lakeland, Kentucky, wrote Governor Sampson January 7th, 1928, as follows:

In reply to your communication as to the needs of this hospital, I beg to submit the following report:

There are now nineteen hundred patients actually in this institution, with one hundred and fifty others on parole; this one hundred fifty who are now on parole are potential inmates, as they may be returned at any time without court proceedings, in fact making over two thousand patients on record. Of the nineteen hundred there are none who are self-supporting, but by proper supervision and training about two hundred of this number are able to do some kind of work on the farm, the wards or in the departments. This helps materially in promoting the general welfare of the other patients. There are in the institution at this time about ninety patients who are able financially to pay wholly or in part for their hospitalization.

All patients who are able physically to undergo training are put into occupational training classes and pass through this department to the industrial classes. At this time we only have room for about sixty to seventy-five in this school. With sufficient funds we would be able to retrain and to reeducate twice as many as at the present time, being handicapped both for room and teachers.

To properly treat our patients who are acutely ill either in body or in mind it is imperative that we have an infirmary built for this purpose and equipped accordingly. At this time the acutely ill are treated on the general wards, which were not designed nor equipped for this purpose. To keep pace with modern methods and scientific medical knowledge, a modern infirmary should be erected, and above all the other needs of the institution, an infirmary is the most needful improvement, and can no longer be deferred if we are to treat our patients scientifically and humanely.

We should modernize the antiquated wards in this hospital by installing modern plumbing and modern sanitary equipment, that we may be able to safeguard the health of the inmates.

The capacity of the institution is fourteen hundred, and we are now attempting to care for nineteen hundred, which is five hundred over capacity.

The erection of a congregate dining room would relieve this crowded condition as we would be able to utilize the many small dining rooms as wards and at the same time there would be a great economic improvement, as there is always excessive waste in maintaining a number of small dining rooms. This improvement would pay for itself in a few years, as I have found by actual experience a saving of twenty per cent in food costs by using one congregate dining-room instead of six small dining rooms in feeding a group of four hundred patients.

The congestion can be further decreased by the erection of a nurses' home and a men's dormitory. At the present time all nurses, both male and female, live on the wards—that is, their rooms are on the wards with the inmates. This condition is one that should not exist, and rooms in a properly constructed nurses' home should be provided for each nurse, to which they may retire when their day's work on the ward is ended. The rooms now occupied by the nurses on the ward could then be used for patients lessening the congested condition.

The colored wards are dangerously overcrowded and there are no facilities whatever to separate those suffering from tuberculosis and other communicable diseases from the main body of patients. The colored wards are accommodating twice their capacity in patients, and a new building should be provided, this building containing a hospital ward and other isolation means to safeguard the health of the patient.

A new ward should be added to both male and female wing of the main building proper for the accommodation of the steadily increasing number of white patients who are being committed.

There should be more acreage of land provided, as it is a demonstrated fact that an institution should have one acre for each inmate it accommodates. We have at this time five hundred sixty acres in the institution farm with about two hundred acres in another farm ten miles from the institution.

There are so many needs that the most necessary ones only have been mentioned. In my estimation they are as follows:

First: The erection of an infirmary.

Second: The erection of a congregate dining room.

Third: The erection of a new building to accommodate colored patients.

Fourth: Erection of a nurses' home and men's dormitory.

Fifth: The purchase of more land.

Sixth: Erection of two new wards for white patients.

Seventh: Increase of the budget for general maintenance as the general physical condition of the institution is far from being good.

Respectfully submitted,

WALLIS W. DURHAM, Superintendent.

Francis Engram, Chairman of the Kentucky Child Welfare Commission, of Louisville, on January 1, 1928, wrote Governor Sampson as follows:

There are numerous children throughout Kentucky in need of special attention, and as the years come there will be hundreds of others unfitted either by nature or through misfortune to care properly for themselves. Many of these have physical defects, others have mental troubles which, if left uncorrected, or untreated, will handicap them through life. Others are in charge of parents or guardians who need assistance in securing for these little folk the benefits they should have. There are agencies in the State which reach many of these children in the most effective and helpful way. But there is no state-wide agency charged with the responsibility of finding all the children in need of special care and bringing them to the attention of those who can help them. There is a pressing need for such an agency.

It would therefore seem wise for a Kentucky Children's Bureau to be created which would seek to organize in counties throughout the State committees whose chief function would be to discover children in need of special care and secure for them such benefits as are available under the law. Such a Bureau would in no way supplant or interfere with the work done by present agencies, but would cooperate with all and thus enlarge the scope of child welfare work until an official hand which could and would act promptly, kindly, and within proper legal limitations should be within reach of every child in the Commonwealth in need of special attention.

To create such a Bureau and insure its proper functioning an appropriation of \$10,000 would be needed.

Dr. W. M. Elliott, Superintendent of the Western State Hospital, Hopkinsville, Kentucky, wrote Governor Sampson on January 7th, 1928, as follows:

My Dear Governor:

As requested by you, I am enclosing a statement as to the present condition and future needs of the Western State Hospital, Hopkinsville, Kentucky. This hospital was built October 18th, 1854. It was burned on the 30th of November, 1861. It was immediately rebuilt. At that time there were about 135 patients in the Hospital.

At present we have actually 1,716 patients in the institution, white males 639, white females 663, colored males 194, colored females 166. We have 124 patients on parole.

We are enclosing on separate sheet the kind of work and the number of patients employed at this work, the total of which is 1,183 patients.

The imperative needs of this institution are, first, more space for patients. We are crowded on white male wards; thirty-nine patients are sleeping on beds in hallways and beds on all wards are too close together. Every bed is taken in the tubercular wards and tents. Special provision is needed to take care of tubercular colored patients. On account of the increase of commitments of the insane, the counties of Kentucky should take care of the aged and helpless insane in their own county houses.

We need a hospital infirmary for our bed patients and an additional receiving ward. We have in our institution 128 epileptics who should be colonized and placed on a farm.

We need a new Amusement Hall and an additional building for Occupational Therapy, additional wards for white male and female, colored male and colored female patients. The capacity of this institution is 1,200 New York standard. We have 600 patients more than our capacity.

We need to enlarge our nurses' home in order that a great many employees who are now sleeping on the wards may have an opportunity to be removed from the annoyance of being awakened at night by the disturbed insane.

Our farm consists of 725 acres; one-third of the land when in a high state of cultivation is an average of the better land in this county. The remainder is poor land and will produce nothing of any consequence except a limited amount of grass. We produce enough fresh vegetables for daily summer consumption and considerable is canned for winter use. We also produce Irish potatoes and sweet potatoes.

We need 200 acres of good land in order that we may increase the return from our farm, especially more hay, corn, potatoes, cabbage and other vegetables.

If all industrial departments were enlarged and other industrial departments added, the institution could become largely self-supporting and it is the unemployed, and living in a world of unreality, when given work, cures the patient, getting him out of a world of unreality bringing him into a world of reality.

I have made this as short and succinct as possible, omitting details and unnecessary verbiage.

Respectfully submitted,

A. M. ELLIOTT, Superintendent.

The following patients were employed during the month of December, 1927:

WHITE MALES:

Ward work	335
Laundry	5
Kitchen	43
Bakery	4

Farm and garden	23
Art Room	25
Broom Shop	16
Engine and Boiler Room	4
Dairy	14
Butcher	3
Painter	1
Tailor	10
Gate Store	2
Poultry Yard	3
Store Room	5
General	20
Total	533

COLORED MALES:

Ward work	56
Laundry	4
Farm and Garden	12
Florist	7
Engine and Boiler Room	11
Stable	1
Butcher	4
Painter	1
Plasterer	1
Drug Room	1
Porter	2
General Construction	10
Yard	14
General	15
Kitchen	23
Total	162

WHITE FEMALES:

Ward Work	220
Sewing Room	27
Art Room	45
Kitchen and Dining Room	64
Total	356

COLORED FEMALES:

Ward Work	72
Laundry	22
Kitchen	36
Total	130

Total No. white males employed	533
Total No. colored males employed.....	164
Total	697
Total No. white females employed	356
Total No. colored females employed	130
Total	486
Grand total of patients employed	1,183

Madison J. Lee, Superintendent of the Kentucky School for Deaf, wrote Governor Sampson on January 7th, 1928, as follows:

Dear Governor Sampson:

As you requested over the telephone this afternoon, I am submitting to you a brief statement of the urgent needs of The Kentucky School for the Deaf, Danville, Kentucky.

In our school report and budget request which was handed to Mr. T. Scott Mayes on November 14th, 1927, we asked for only the things which our school must have for supplies, maintenance, salaries and necessary minor improvements and renewals. We did not include in our request some things that are vitally needed. Our school has not kept pace with similar schools in nearby states. We have not made the progress that modern education demands. We have always followed a conservative policy and made very reasonable requests.

On the following page we state briefly the requests in our budget report which was made up by Dr. Augustus Rogers, superintendent.

1928-1929	
Salaries	\$75,050.00
Supplies, maintenance and repairs	46,000.00
Transportation of pupils	500.00
New Laundry Machinery	6,536.00
Electrical Amplifying Machine	3,200.00
New Kitchen Range for Pupils	600.00
Dough Mixer for Bakery	500.00
New Toilets and Plumbing for Cottages	800.00
Total	\$133,186.00

SALARIES: The amount includes \$9,450.00 increase for our teachers, but it is not enough to give all of our shop instructors, domestic department, supervisors, laundrymen, engineer, etc., a living wage.

SUPPLIES, MAINTENANCE AND REPAIRS: This is the same sum we have been allowed for this purpose for a number of years and it is not

sufficient to enable us to give our children balanced meals or to permit us to keep our buildings in good repair. This item should be raised to \$50,000.00.

TRANSPORTATION OF PUPILS: We need the same appropriation of \$500.00 to pay railroad fare to school for a number of poor children who would otherwise be uneducated.

NEW LAUNDRY MACHINERY: One washer, the mangel, shirt, ironer and dry room in our laundry are completely gone. The new equipment to replace the machines mentioned above will cost \$6,536.00. The clothes of children are so miserably laundered that they should not be worn—you and I would not wear them at all.

ELECTRICAL AMPLIFYING MACHINE: A good electrical machine for instruction purposes will cost \$3,200.00 and it will enable us to give instruction through the ear to a number of children who have residual hearing. Very few of our pupils are totally deaf—their hearing should be used and developed.

NEW KITCHEN RANGE FOR PUPILS: We need \$600.00 for a new range. With great care we may be able to nurse the range we are now using through this school year.

DOUGH MIXER FOR BAKERY: We make our own bread but it is not the kind of bread you and I would want our children to eat for a regular diet. We cannot mix such large quantities of dough evenly by hand. A new mixer will cost \$500.00 and will save labor, flour and bread.

NEW TOILETS AND PLUMBING FOR COTTAGES: We have two buildings that are called cottages. In each building sixty-four of our smallest children live. The toilets in these buildings are completely worn out after over twenty years of hard usage. They are beyond repair and in their present condition are very dangerous to the health of our pupils. \$800.00 will put new toilets in these buildings and we must give our baby children sanitary toilets.

1929-1930

In our report we made the following requests for the fiscal year, 1929-1930.

Salaries	\$75,050.00
Supplies, Maintenance and Repairs	46,000.00
Transportation of Pupils	500.00
New Fences and Pavements	3,000.00
School Bus	3,000.00
New Boiler and its Installation	5,000.00
Total	<u>\$132,550.00</u>

SALARIES: This amount includes \$9,450.00 increase for teachers, but it is not enough to give other employees at our school a fair raise. It will include a new man teacher, a new lady teacher and a chief fireman, but it will not be sufficient to allow us to make our shop instructors, department

heads, engineer, laundryman, etc., satisfied or willing to give us their best service. We need \$5,000.00 more besides the amount asked above.

SUPPLIES, MAINTENANCE AND REPAIRS: This is the same sum we have been allowed for this purpose for a number of years and it is not sufficient to enable us to give our children balanced meals, or to permit us to keep our buildings in good repairs. This item should be raised to \$50,000.00.

TRANSPORTATION OF PUPILS.—We need the same appropriation of \$500 to pay railroad fares to school for a number of poor children who would otherwise be uneducated.

NEW FENCES AND PAVEMENTS.—Our school grounds and farm need new fences. We cannot keep neighbors' stock out of our growing crops. Our children walk across and around our property in several places in the mud. \$3,000 for fences and pavements will improve our property and benefit our children a great deal.

SCHOOL BUS.—We have been compelled to hire taxis to haul our pupils to and from railroad stations and junction points. We need a safe bus which can be obtained for \$3,000. This bus would also enable us to take our pupils on short educational tours. It could be used by athletic teams, Christian Endeavor Society and other groups of children whereas now our pupils must decline many invitations to mingle with normal, hearing boys and girls.

NEW BOILER AND ITS INSTALLATION.—Our steam heating plant is running under heavy load all the time. It may break under the strain. We have no reserve heating units to put in operation when it is necessary to shut down one boiler for cleaning or repairs. We need \$5,000 to buy a new boiler and install it. This will insure comfort to our children at all times.

COLORED SCHOOL.

For salaries and all expenses incident to the operation and maintenance of the department for colored children we asked in our report for \$9,000 for the year 1928-29 and \$9,000 for the year 1929-30. We need a thousand dollars more at the colored school to give these children wholesome food and comfortable living quarters.

The above requests which were included in our budget report are the vital needs which our school must have in order to operate in even a fairly efficient manner. Appropriations to cover these items will let us stand still, but will not permit us to make much educational progress.

We need a stenographer in our office so that the superintendent can give personal supervision to all of the departments of the school. We need a good plumber, more efficient heads of our household and industrial departments. We need new machinery in our shops because a graduate of our school who cannot compete with his hearing brothers in operating machines is not likely to be able to get and hold a job.

We need a **SCHOOL BUILDING.** We have no school building at present. Our classes are scattered in six different buildings at the white school. We lose a great deal of time in passing back and forth between these build-

ings. Besides the inconvenience and loss of time it is not right to have class rooms in dormitory buildings. Our children have no recreation, living or reading rooms. A new school building would relieve congestion through the whole school and would permit the three hundred and fifty children in our school to have some of the joys and pleasures of home life. \$200,000 will build and equip a fine school building and will give enough money to erect sheds over the pavements connecting the various buildings on our grounds. It will also enable us to provide a larger and better school office. This appropriation could be divided so as to give us \$100,000 for the year 1928-1929 and \$100,000 for the year 1929-1930.

With a new building and new equipment we could add some new trades for our boys and girls and make them more self-supporting and more self-respecting Kentuckians.

Our shops, farm, dairy and garden very often produce more than we can use at the school. By the law under which we operate now it is necessary for all the money that is received by the schools from sales, etc., to be sent to the State Treasurer. We cannot sell one thing and buy another with the money thus obtained. It seems to us that it would be a far better plan to permit each State institution to have use of the money from its sales. As it is now we must give up all money that we receive. If we sell a cow we must turn the money over to the State Treasurer and then buy another cow to replace the one sold out of maintenance appropriation. Is that a right?

At your suggestion and with your permission I would like to submit briefly to budgets for the next two fiscal years and ask you to consider them carefully to see if you will not agree with us that they represent a progressive educational program for the Kentucky School for the Deaf. Everything listed is badly needed and will be used for the school welfare and educational advancement of the deaf children of our State.

WHITE SCHOOL FOR THE DEAF

1928-1929

Salaries (Increase for everyone)	\$80,050.00
Supplies, Maintenance and repairs	50,000.00
Transportation of pupils	500.00
New Laundry Machinery (must have it)	6,536.00
Electrical Sound Amplifying machine.....	3,200.00
Kitchen Range for Pupils (must have it).....	600.00
Dough Mixer for Bakery—badly needed.....	500.00
New Toilet and Plumbing for Cottages.....	800.00
New School Building, Equipment, etc.	100,000.00
New Machinery for shops	3,000.00
	\$245,186.00

1928-1929

COLORED SCHOOL OR THE DEAF

All salaries, maintenance and operation.....\$10,000.00

1929-1930

WHITE SCHOOL FOR THE DEAF

Salaries (Increase for everyone)	\$80,050.00
Supplies, Maintenance and repairs	50,000.00
Transportation of pupils	500.00
Pavements and Fences	3,000.00
School bus	3,000.00
New boiler and its installation	5,000.00
New School Building, Equipment, etc.	100,000.00
New Machinery for Shops	3,000.00
	\$244,550.00

1929-1930

COLORED SCHOOL OR THE DEAF

All salaries, maintenance and operation.....\$10,000.00

The deaf children of Kentucky will appreciate it very much if you will consider carefully the needs that have been listed above and write in your message to the legislature as many of them as you deem wise at this time.

Thanking you for your interest in the deaf boys and girls of our State and wishing you a happy and successful administration, I am,

Very respectfully yours,

MADISON J. LEE,
Superintendent.

Mr. G. F. Larué, Superintendent of Eastern State Hospital, Lexington, Kentucky, wrote Governor Sampson, on January 7th, as follows:

My Dear Governor:

It gives me pleasure to comply with your request of today setting forth the most urgent needs of the Eastern State Hospital.

WELFARE AND COMFORT OF PATIENTS

Additional ward buildings, namely: For white males, white females, colored males and colored females, four in all.

The present buildings are old and entirely inadequate, the oldest institution of its kind west of the Allegheny Mountains, so badly crowded that it is a physical impossibility to properly classify or care for the unfortunates in the institutions. The accepted minimum standard of floor space in like institutions is 109 square feet per patient for all purposes; we are operating today on 61 square feet per patient by actual measurement. Allowing the minimum standard of floor space for each patient, the present capacity of this institution is only 888, whereas we have enrolled today 1,551.

The four buildings mentioned above should be of such capacity to more than care for our present enrollment by reason of the rapid increase of mental diseases.

Two inadequate buildings, separate from the main institutions, for the whites and colored to be used as receiving wards that the patients may be properly classified.

Two adequate buildings for white and colored to be used as convalescent wards.

We attribute our low rate of recoveries to our very crowded condition, and to the fact that those who show tendencies to recover must be kept on wards with the hopeless and violent insane.

MODERN HYDROTHERAPEUTIC EQUIPMENT

It is a well known fact that continuous baths take the place in modern institutions of narcotics and restraints, and greatly hasten convalescence. Four are needed, two for whites and two for colored.

OCCUPATIONAL THERAPY AND AMUSEMENT

A separate two story building of sufficient capacity, where all the departments of occupational therapy, one of the most efficient curative agents we have, can be properly housed, is badly needed. At present the work is carried on in poorly lighted rooms in the basement, on the wards, and in detached buildings about the grounds. For the want of space, but few can be occupied where hundreds should be. This building should be 75 by 150 feet. The second floor should be used as an amusement hall, as it is a recognized fact in all modern institutions that occupational therapy and amusement are two of the greatest remedial agents in use today. Our present amusement hall does not accommodate 300, but should have a capacity of not less than 1,000.

FARMING LANDS

Our present tracts, including lawns and lots, is 250 acres. 175 acres only available for farm and garden, and we should have at least 500 additional acres. Last available figures show that the Eastern State Hospital spent \$47,000.00 in one year for farm products that could have been raised here at very small cost, had we the above acreage.

Farming is the most healthful of all occupations for the insane, and a larger per cent. of discharges come from the farm than from any other department. At present, with our very limited number of acres, only between fifty and sixty patients are employed in this healthful pursuit, where three hundred or more could and should be engaged. Even those who are hopelessly insane, but have mind enough left to work on the farm, keep healthy and contented.

Appreciating your manifested interest in the unfortunates of this institution, I beg to remain,

Yours very truly,

(Signed) G. F. LARUE, Supt.,
Eastern State Hospital.

Mr. John F. Smith, of Berea, Secretary of Kentucky Child Welfare Commission, wrote Governor Sampson on December 14th, as follows:

To the Governor of the Commonwealth:

I. You are aware of the fact that there are numerous children thruout Kentucky in need of special attention, which under present conditions, they cannot receive. There are hundreds with physical defects which if left uncorrected will handicap them through life. There are other hundreds left without parents who deserve more care than many of them now receive. A recent study made of living conditions in the families of Kentucky prisoners brought to light some astounding things which if let alone are almost certain to drive young people into criminal careers later on.

There are agencies which reach some of these children; there is no State agency for reaching all children throughout the State in need of special attention.

We are asking you to consider the advisability of recommending to the General Assembly the creation of such an agency. What Governor Morrow did for the feeble-minded children of the State, and what Governor Fields has done for the crippled children, we believe you can do for all the children who are not now being reached by a helping hand.

II. We come to you as a Governor's Commission, seeking your advice as to what would be wise to recommend to the next General Assembly concerning the welfare of Kentucky's children.

III. If the matter were left entirely to the judgment of the commission we would be inclined to recommend this:

1. The creation of a Children's Bureau.
2. The appropriation of \$10,000 a year for maintenance.

IV. The type of Bureau we would suggest after some years of investigation and thought would function somewhat in this way:

1. The General Assembly would authorize its creation.
2. The Governor would appoint a board of 9 members whose qualifications would be laid down in the law. They would serve without compensation.

3. The board would appoint a Director of the Bureau, and such assistants as might seem necessary, and would fix their salaries subject to the written approval of the Governor.

4. The Bureau would have an office or desk room in the Capitol building.

5. The Bureau would assist in the establishment of county children's bureaus in counties desiring to take such a step under an enabling act, and would co-operate with all existing boards, agencies and associations in the State concerned with the welfare of children.

6. It would endeavor to put an official hand that would act promptly and kindly under proper legal limitations within reach of every child in the

Commonwealth in need of attention not only to discover such children but to secure for them the benefits of the law.

7. It would continue the survey of conditions in the State begun by the Children's Code Commission and continued by the Child Welfare Commissions, reports of which are now in your possession. These bodies were authorized by different legislatures but received no financial aid from the State.

It would also present to the Governor and to the General Assembly prior to each legislative session a report of its findings and recommendations based thereon, and would serve as a sort of clearing house on all matters relating to child welfare in the Commonwealth.

8. Its chief function would be to reach the unreached children, avoiding carefully the duplication of service which may be rendered by other State or Federal Agencies, and give to every handicapped child a chance to come into his own.

V. It is the belief of the members of the Commission that a comprehensive State agency would serve a much larger purpose than that now served by a very small group of private individuals who are doing what they can for Kentucky's handicapped children in the absence of a State agency.

VI. We wait upon your reaction before taking further steps.

Hundreds of little folk are waiting for a hand to be extended. We believe that a recommendation from you to the General Assembly would be the logical step.

The law creating the Commission, requires that we make some recommendation, and we feel that either a definite program should be adopted and carried out, or that the present Child Welfare Commission should cease to exist.

(Signed) JOHN F. SMITH,

Vice Chairman

Ky. Child Welfare Commission,

KENTUCKY CHILD WELFARE COMMISSION REPORT

To the General Assembly of the Commonwealth:

I. You are aware of the fact that there are numerous children throughout Kentucky in need of special attention which, under the present conditions they cannot receive. There are hundreds with physical defects which if left uncorrected will handicap them through life. There are other hundreds left without parents who deserve more care than many of them now receive. A recent study made of living conditions in the families of Kentucky prisoners brought to light some astounding things which if let alone are almost certain to drive young people into criminal careers later on.

There are agencies which reach some of these children; there is no State agency for reaching all children throughout the State in need of special attention.

II. The Kentucky Child Welfare Commission, created by the 1922 legislature, whose duty it is:

"To investigate and study the needs of Kentucky children and present to the Governor and the General Assembly prior to each legislative session a report of their findings and recommendations based thereon."

Recommendations:

1. The creation of a Children's Bureau.
2. The appropriation of \$10,000.00 a year for maintenance.

III. The type of Bureau we would suggest after some years of investigation and thought would function somewhat in this way:

1. The General Assembly would authorize its creation.
2. The Governor would appoint a bi-partisan board of 9 members whose qualifications would be laid down in the law. They would serve without compensation.
3. The board would appoint a Director of the Bureau, and such assistants as might seem necessary, and would fix their salaries subject to the written approval of the Governor.
4. The Bureau would have an office or desk room in the Capitol building.
5. The Bureau would assist in the establishment of county children's bureaus in counties desiring to take such step under an enabling act, and would co-operate with all existing boards, agencies and associations in the State concerned with the welfare of children.
6. It would endeavor to put an official hand that would act promptly and kindly under proper legal limitations within reach of every child in the Commonwealth in need of attention not only to discover such children but to secure for them the benefits of the law—this to be with the consent of the parent or guardian.
7. It would continue the survey of conditions in the State begun by the Children's Code Commission and continued by the Child Welfare Commission. These bodies were authorized by different legislatures but received no financial aid from the State.

It would also present to the Governor and to the General Assembly prior to each legislative session a report of its findings and recommendations based thereon, and would serve as a sort of clearing house on all matters relating to child welfare in the Commonwealth.

8. Its chief function would be to reach the unreached children, avoiding carefully the duplication of service which may be rendered by other State or Federal agencies, and give to every handicapped child a chance to come into its own.

IV. It is the belief of the members of the Commission that a comprehensive State agency would serve a much larger purpose than now served by a small group of private individuals who are doing what they can for Kentucky's handicapped children in the absence of a State agency.

What the 1922 General Assembly did for the feeble-minded children of the State, and what the 1924-26 General Assembly did for the crippled children, we believe that you can do for all the children of the Commonwealth of Kentucky who are not now being reached by a helping hand.

Respectfully submitted,

FRANCIS INGRAM, Louisville, Chairman.
JOHN F. SMITH, Berea, Vice-Chairman.
MRS. B. W. BAYLESS, Louisville.
DR. FRANK L. McVEY, Lexington.
MRS. FRANK O'BRIEN, Louisville.
E. G. SCOT, Paducah.
MRS. BERNARD SELLIGMAN, Louisville.
GEORGE STOLL, Louisville.

December 17th, 1927.

FACTS ON MOTHERS' AID

Moral and Spiritual.

The ideal back of Mothers' Aid is that the best place for a child is in a good home—preferably its own home if it is a good one.

The White House Conference on Child Welfare called by President Roosevelt in 1909, stressed the value to a child of its own home. The conference declared: 'Home life is the highest and finest product of civilization. It is the great molding force of mind and character. Children should not be deprived of it except for urgent and compelling reasons.'

Mothers' Aid keeps the child with its own mother, if she is a good mother.

Historical.

Mothers' Aid had its start in Kansas City and Illinois in 1911. No child welfare measure has met with such an enthusiastic response. At present forty-two states have adopted Mothers' Aid.

Mothers' pensions is in line with the modern trend in child conservation. In giving children a chance to develop into good citizens, with the future firmly in their hands, the State is simply building more firmly for itself. Too often the widow with young children has fought an unequal fight for support. She has seen her own health break and the children whisked away to institutions. Society has also paid a heavy toll in broken homes, juvenile delinquency, sickness and poor citizenship. Mothers' pensions or assistance says to the good mother: "Your biggest job in this community is to bring up your children. They need a mother's love just as a plant needs sunlight."

Financial.

The mother is the cheapest as well as the best caretaker for her own children. She is the best "because she gives the nurture and discipline that

only personal affection can supply; the cheapest because she does not engage in the work for profit. The mother to whom assistance has been granted makes return for it, not in expression of gratitude, but in an effort to maintain good standards in the care of her children."

In one year the New York City Board of Child Welfare cared for 23,108 children and 8,448 widows in thier own homes at a cost of \$4,500,000. During the same year the city paid \$4,000,000.00 to care for 13,680 in institutions. The city paid \$28.40 a month to care for a child in an institution and only \$15 a month for a child in its own home.

A. M. Lyon, M. D., Superintendent of the State Institution for the Feeble Minded, Frankfort, Kentucky, wrote Governor Sampson on December 26, 1927, as follows:

Governor F. D. Sampson,
Frankfort Kentucky.

Dear Sir:

Consistent with our conversation a few days ago, I wish to submit briefly a few conditions that are very necessary to be relieved in the care of Kentucky's feeble-minded.

First. Some provision should be made for the care of the colored feeble-minded of Kentucky, either by purchasing, adjoining property to the present institution in order that it may be managed as one unit or by establishing a colony elsewhere.

Second. There should be erected and equipped a modern hospital for this institution. The one we now have is but an excuse and quite expensive to operate. It furnishes but little accommodation and practically no hygienic advantages. It is necessary to have laboratory equipment, operating room and certainly we should have wards to isolate contagious diseases.

Third. This institution should be enlarged both to relieve the present congested situation and to admit a long waiting list, aggregating seventy-five commitments now on file. There are many others who desire admittance but knowing our crowded condition and waiting list, they have not proceeded to commit as required by law. I think that this institution should be enlarged by cottage plan because better hygienic conditions can be maintained and more thorough mental classification can be had.

Fourth. We have about seventy inmates that are epileptics and that should be separated from the other inmates for two reasons. First, that other inmates will not have to view the horrible spectacle of the seizure. Secondly, there ought to be a more modern institution for the care of epileptics, so that they would not fall on concrete floors, against radiators, etc., during an attack. Consequently, I suggest that Kentucky establish an institution for epileptics.

There are several minor changes that can be made to an advantage. As I understand, the Board and Superintendent can handle that phase of it.

Very truly yours,

(Signed) A. M. LYON,
Superintendent.

Mr. C. B. Martin, Superintendent of Kentucky School for the Blind, Louisville, wrote Governor Sampson as follows:

My Dear Governor Sampson:

The Board of Visitors and Superintendents of the Kentucky School for the Blind have deemed it wise and necessary to ask the General Assembly for an appropriation of \$170,000.00. This money is to be used for the erecting and equipping of two cottages, one for the little boys and one for the little girls; a workshop for the boys; and a building containing a swimming pool, a gymnasium, and an auditorium.

The cottages will not only add to the comfort and pleasure of these little unfortunates by relieving crowded conditions in dormitories, study and play rooms, but will allow those in authority to exert a more homelike influence over the children.

The workshop, which at present consists of two rooms over the stable, is entirely inadequate for improved methods of today. The rug weaving, basketry, and piano tuning departments which are now scattered over the school building could be handled more advantageously and with greater benefit to the children if they were brought together under one roof.

A swimming pool would be a great source of enjoyment, healthful exercise, and sport that would teach assurance and self-reliance, at the same time being of inestimable physical benefit.

The gymnasium is entirely too small and too poorly equipped for the up-to-date methods of proper teaching and deriving the best results in this department.

Although these children rank among the very highest of this country in plays, minstrels, entertainments, and dramatic art, there has never been a proper place where these exhibits could be given in-doors. The beautiful grassy dells afford a splendid amphitheater for all open air festivities; but in order to give an in-door performance of any kind, a stage or platform must be improvised and chairs and benches carried from different parts of the building to provide for the public. Oftentimes many are forced to stand, and numbers are turned away for lack of room.

It is for these prime reasons that this appropriation is asked. With it much progress can be made; without it the work is greatly handicapped.

Sincerely yours,

(Signed) C. B. MARTIN.

This appropriation is solely for the benefit of those unfortunate children who attend the Kentucky School for the Blind at Louisville, Kentucky. The enrollment of the pupils varies from 85 to 125, and they range in age from 6 to 21 years. Usually there are about forty children, girls and boys, between the ages of 6 and 12 years. At present, the little girls and boys are taken care of in one large room on either side of the main building. These rooms and halls adjoining them have to be used as dormitories, study rooms, and in inclement weather as play rooms. Then, too, these little folks are thrown together with the larger and older children, which is not always the best thing for them. In case of contagious diseases, such as measles, mumps, whooping cough, scarlet fever, diphtheria, etc., it is almost impossible to isolate these children under existing conditions. Several times of late years it has been necessary to close school before the usual term expires. This was always done on the advice of the attending physician. If the cottages asked for are granted, these little ones could be furnished with separate play rooms, baths, study rooms, sleeping porches and dining rooms. By this means they could have a more homelike atmosphere, better and more efficient training both in a moral and physical sense.

At the Perkins Institute for the Blind at Watertown, Massachusetts, there has been spent one and one-half million dollars for their (cottage plan) school. Besides this, they have a one million dollar endowment fund for their kindergarten. New York City has just finished, at a cost of about two million dollars, their "cottage plan" system for the blind. Baltimore, Overbrook, Pennsylvania, Austin, Texas, and St. Louis have all adopted this system. The school for blind at Indianapolis, Indiana, which was erected after the Kentucky School for the Blind and planned after this school, is now spending a million dollars on a new school built according to these improved cottage plans. The Kentucky School for the Blind was the sixth of its kind in the United States and ranks among the very best of them, but, in order to keep pace with them, it must have the most improved and efficient methods for doing so.

The Industrial Departments are scattered all over the present building. For example: the Piano Tuning Department is located on the fourth floor of the main building, and as the building is not equipped with elevators, you can readily see what a task it is to carry pianos up and down three flights of stairs. The Basketry Department is on the first floor of the west wing. The boys' Rug Weaving Department is on the fifth floor of the west wing. These rooms are also used as class rooms so that quite a great deal of time is consumed in carrying material to and from these places. The Boys' Manual Training Department is conducted in two rooms over the stable and garage. It is very difficult to carry on broom and mop making, chair caning and carpentry work in these very cramped quarters. It is impossible for us to put in the much needed machinery required for this work. With a properly equipped workshop all of these industries could be brought together and up to date machinery installed, thereby saving a great deal of time and labor and giving greater efficiency to every department.

The swimming pool would furnish much valuable and beneficial recreation, besides aiding gymnastics training. All present day educators of the blind consider the pool a most necessary part of the gymnasium. As the room equipped for our gymnasium is on the third floor above class rooms, the operation of physical training classes is a serious interference to literary work conducted below and also extremely annoying to others working in adjacent rooms. The school has never had an auditorium or similar place for entertainments and plays. The same room used as a gymnasium must serve for the auditorium by having certain movable apparatus arranged, some boxes fitted together to form a stage and chairs and benches brought from every floor in the building to provide seats for the audience of not more than one hundred and fifty.

Remember that this is a boarding school for blind children where they are taught trades and educated to take their place in the world as skilled and independent men and women. It is not an asylum, home, or hospital of any kind; neither is it a haven of refuge; but a school in the strictest sense of the word. The school term is nine months in the year. This appropriation is asked to improve the State property and to give the blind children of this Commonwealth a chance to help themselves.

State Budget

Ex-Senator E. D. Stephenson, Pikeville, Kentucky, wrote Governor Sampson January 2nd, 1928, as follows:

Dear Governor:

The State Budget law, sections 1992A-1 to 1992-34, provides a system for the budgeting of the expenditures of the State by budget classes so that each class of expense can be cared for separately and in this manner it will be easy to obtain at any time definite information as to the costs of the several activities of the State government. The accounting and the expense control provide for keeping a daily balance by the Auditor on the budget ledger. Under this budget law the State is forced to live within its income and it will eliminate overdrafts in the future.

One of the most difficult things you have to contend with in my view is the floating State debt. This debt has been accumulating for many years, but it is my information from the reports that it has been materially cut during the last administration and perhaps at this time not in excess of \$3,000,000.00.

I have given this matter considerable thought and I would like to see the Budget Commission in the preparation of the State budgets for the biennial period and the appropriation acts for the next biennial period and begin the next fiscal year with a clean slate, only providing in the budgets and appropriation acts for the amount of money that the State government proposes to expend during the two next fiscal years. This, of course, would make it necessary to introduce a companion revenue measure to the appro-

priation acts to raise a sufficient sum of revenue to retire the warrants that have been carried over a period of years. I would suggest an act that will raise the revenue in a sufficient sum to retire these warrants during the next two fiscal years. This would put our State upon a cash basis and relieve us of the embarrassment that has been caused in the past by reason of our bad financing methods.

When the State budget act, above referred to, was prepared at the 1926 session of the General Assembly, I first drafted provisions to cover the financing policy of the State, but upon considering the matter and in view of the bond issue which was to be submitted to refund the State debt I eliminated that part of the act.

The Budget Act provides a system for the issual of State warrants and all warrants issued under this act must be within the budget. A new financing system should be provided for the State so that all warrants issued should be made negotiable, and interest bearing upon being presented to the State Treasurer in the absence of funds with which to pay them. Provision should also be made for the issuing of treasury notes in anticipation of revenue against budget funds to enable the State Treasurer to pay the State warrants upon presentation. This provision as to the road and bridge fund would aid materially in the financing of road and bridge contracts and would enable us no doubt to get our work done at a less price for the reason that the cash would always be available to pay for the work as the estimates came in and the proper vouchers were drawn. I think the Budget Commission should have supervision over the financing policy of the State and the Treasurer should be required to consult the Budget Commission regarding these matters. State paper in the form of warrants or notes would be current at less than five per cent., and the law should provide for an interest rate not in excess of five per cent., and then the officials should be required to fix the rate on the paper, whether warrants or notes, according to the money market, and in my opinion the state would be able to finance itself at from four to four and one-quarter per cent. I think the Budget Commission should have supervision over the financing and determining the rates to be fixed upon State paper.

In my opinion, an act to retire the floating warrants by revenue would be constitutional. I have considered the case of *Stanley v. Townsend*, 170 Ky. 833, 186 S. W. 941. In this case an Act of 1916 was held unconstitutional in so far as it undertook to authorize the sinking fund commission to issue certificates of indebtedness, but this act contemplated that this indebtedness should be spread over a period of years. A very fine distinction is drawn as to the validity of warrants outstanding and appropriation acts. I believe the court would sustain a revenue measure to raise sufficient funds to pay off these outstanding warrants and there is nothing in the opinion cited supra to prevent the General Assembly from providing for negotiable State warrants or treasury notes to be issued in anticipation of collection of revenue for the current year.

I would like to see budget measures enacted for all of our cities and taxing districts and counties. I will draft within the next day or two a new county budget act in lieu of the one the court held unconstitutional, making it applicable to all counties in the State, and will simplify some of the provisions that brought protest from some of the county officials. I think a new financing policy for the State making its paper negotiable, and a like financing policy for counties, cities and taxing districts, would release from \$20,000,000.00 to \$25,000,000.00 of frozen assets held by our people and banks and add that amount of current wealth to our present volume. This makes a difference of \$40,000,000.00 or \$50,000,000.00 in the volume of current and available assets. It would stimulate business throughout Kentucky. It would give us a real business system for handling our finances and would materially aid in the industrial development of the State, and in my opinion is the background of your policy of industrial development for the State.

It would be a guarantee to industry that its resources would not be unduly drawn upon for expenses of government. A good business system in government is a good talking point for a State seeking new capital.

Yours very sincerely,

E. D. STEPHENSON.

State Revenue

John B. Lewis, Chairman of the State Tax Commission, Frankfort, Kentucky, wrote Governor Sampson on January 5, 1928 as follows:

Governor Flem D. Sampson,
Frankfort, Kentucky.

My Dear Sir:

At your request the members of the State Tax Commission have conferred and are furnishing you with the following data or recommendations with reference to the State revenue laws.

At the 1924 session of the Kentucky General Assembly there were several tax laws enacted, chief amongst which was the Nelson Tax Law, and some few amendments were passed at the 1926 session, including particularly further adjustment in distribution of revenues collected. Under these laws what is known as the School Fund has accumulated a surplus of over \$1,500,000 and what is known as the General Expense Fund has fallen a few hundred thousand dollars short over the biennial period on account of special appropriations to complete the normal school plants and to extend the State University. It is our opinion that unless there are some further special appropriations anticipated in the next biennial period that the present revenue law will produce enough to carry on the regular business of the State, but if there should be any additional appropriations anticipated

which would come out of the General Expense Fund there should be provision made to raise the revenue sufficient to meet same.

We wish to call your attention to the fact that in 1926 an act providing a tax of five cents on the gallon of gasoline was passed, which law automatically repeals itself on June 30, 1928. We believe that this law should be re-enacted and the tax should remain at five cents per gallon on gasoline for road purposes. We think this is the most equitable tax for road purposes that can be levied. It is now producing around \$6,000,000.00 per year, and it will be practically impossible for the Road Department to obtain revenue from any other source at this time to carry on its present program.

There is no special complaint of which this Commission has been advised in regard to taxation in this State except that we hear considerable complaint and condemnation of our passenger automobile license tag tax. It seems that we have under our present system a decidedly higher tag tax on our passenger automobiles than any State touching our borders, and the automobile owners in the border towns of our State in many cases have been caught by our assistants running their cars with tags purchased in the adjoining State. It is our opinion that this tax is too high, and we are further of the opinion that if a law was enacted at this session of the Legislature to take effect on December 2, 1928, and to apply to tags purchased for 1929, reducing the price of tag twenty-five per cent., that the increase in the number of tags sold, and the increase in the amount of gasoline used, would easily keep the road fund at the present level, estimated by us at about \$6,000,000.00 for gasoline and \$4,000,000.00 for tags. We mention this on account of the unusual number of bitter complaints that have come to this department about the price of Kentucky tags. We find that the average cost of tags to the owners of passenger automobiles in this State is over \$16.00 and in the adjoining states about \$8.00.

We have in mind several minor amendments that we are now preparing, most of which are confined to making the present tax laws in our State more practical and easy to administer, which can be brought up or introduced later on in the session when we get same prepared.

If you find it necessary in carrying out any platform promises to raise any considerable funds in the nature of special appropriation, we would suggest that a reasonable tax on soft drinks possibly would produce about \$300,000 or \$400,000, a reasonable tax on cigarettes would produce about \$1,000,000, and a reasonable tax on picture show tickets would produce about \$300,000. We will be glad to give you from time to time any data on any subject pertaining to taxation.

Yours truly,

STATE TAX COMMISSION,

JNO. B. LEWIS,

Chairman.

Mineral Resources

The following is a memorandum furnished by Dr. Jillson of the Geological Department, and addressed to Governor Sampson:

The present appropriations to Geological Survey are:

\$40,000	Geological Survey, all general purposes, salary and printing.
50,000	Topographic maps only.

90,000	Total.
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DEVELOPMENT OF MINERAL RESOURCES

It has frequently been said, and in truth, that the future of Kentucky—a rich Appalachian state is inseparably bound up with an active development of its great wealth of mineral resources. Within the past decade the economic importance of the completion of the topographical base map of Kentucky has become very apparent because of the great savings which can be effected through its use in Kentucky's gigantic highway construction program. For seventy-five years the Kentucky Geological Survey, often interrupted in its important public function and always precariously financed, has been providing through maps and reports the key to the expansion of our mineral industry. This survey has base mapped 56% of the area of Kentucky. New mineral wealth valued now at about \$160,900,000 a year and increasing about 8 or 10% per annum comes to Kentucky as a result of this scientific work.

Investigation shows that the Geological Survey has now a large number of completed manuscript maps and reports on asphalt, coal, oil, gas, fluor-spar, clays and other mineral resources of Kentucky completed, but is without funds for their publication. An emergency appropriation of \$15,000 is suggested as the most direct means of immediate release to the public of this valuable information. This bill should also properly carry such clauses as well tend to place the Geological Survey on a partially self-supporting basis. Ohio and West Virginia, states strictly competitive with Kentucky, are fully base mapped. A plan has been devised whereby the topographical base map of Kentucky may be completed within the next four years. An annual budget appropriation of \$100,000.00 for this specific purpose is urged conditioned upon a like appropriation for this work by the Federal Government. Furthermore, and in order to increase the value of the Geological Survey as an aid to the industrial expansion of Kentucky, it is recommended that the general biennial budget appropriation in this department be increased from the present sum of \$40,000.00 to \$75,000.00.

Motor Transportation

Mr. Griffin Kelly, Commissioner of Motor Transportation, wrote Governor Sampson on December 29th as follows:

Dear Governor:

As requested by you in our conversation yesterday, I herewith suggest that the following be recommended to the Legislature for enactment into law:

"That it shall be compulsory for all taxicabs doing business in the State of Kentucky to carry Personal Liability Insurance and Property Damage Insurance of not less than \$5,000.00."

I would further suggest that this be made a separate bill and not as an amendment to the "Bus Law." The provision should be made that the Department of Motor Transportation would not issue any State taxi license until the original or certified copy of the insurance policy was filed with this department. All busses have to carry this insurance, from \$10,000 to \$20,000, and I do not see why the taxicabs should not be made to do likewise, in order to protect the public.

In regard to the "Bus Law," I do not think that any amendments should be offered at this session inasmuch as this is a new law, only having been enacted March 6th, 1926. A majority of the bus operators in Kentucky are perfectly satisfied with this law as it now stands and they fear that if one amendment is offered, others might follow which would destroy the main features of the law.

Assuring you that I will be glad to cooperate with you at any time relative to matters pertaining to this department, I am,

Yours very truly,

(Signed) GRIFFIN KELLY,
Commissioner.

Children's Bureau and Mothers' Aid

Mr. E. S. Tachau, President of the Family Service Organization, 215 E. Walnut Street, Louisville, Kentucky, wrote Governor Sampson on December 27, 1927:

Hon. Flem D. Sampson, Governor,
Frankfort, Kentucky.

Dear Governor Sampson:

Following your suggestion in our conversation with you on December 23rd, we are submitting herewith, in as concentrated form as possible, the proposed bill for Children's Bureau and Mothers' Aid, together with a list of states which have already adopted such a bill, and with a list of organizations and people in Kentucky who favor such an enactment.

There is to be established a children's bureau to be known as the Kentucky Children's Bureau. This bureau is to be composed of nine members, citizens of the State of Kentucky, who shall serve without compensation. The members of the bureau shall be appointed by the Governor, three for a period of one year, three for a period of two years, and three for a period

of three years from the date of appointment. The bureau, when established, is authorized to employ a director and such other assistants as may seem necessary. It shall inform itself regarding children under the care of every state, county, municipal agency or association, public or private, incorporated or otherwise, receiving or caring for children, and regarding the children under care of any individual receiving for gain or reward two or more children not related by blood or marriage. All these various institutions, agencies and individuals shall be required to permit such visitation for the purpose of getting the necessary information and the bureau may require from such institutions, agencies, associations and individuals such information and reports as may be necessary.

The Children's Bureau shall assist in the establishment of County Child Welfare Boards and shall cooperate with such boards as may have been established and with all agencies, institutions and associations concerned with the welfare of children. It shall be the further duty of the bureau to continue the survey of child welfare in the Commonwealth of Kentucky, to investigate the needs of Kentucky children, and present to the Governor and the General Assembly, prior to each legislative session, a report of their findings and recommendations passed thereon and to prepare data upon the subject and be ready at all times to serve the Governor, or any member of the General Assembly, concerning bills relating to children which may be introduced at any session to the General Assembly.

The bill is to further provide for local county boards. The fiscal court or the county commissioners of any county, with the advice and assistance of the Kentucky Children's Bureau, shall establish for such county a Child Welfare Board. When the fiscal court or county commissioners of any county shall have authorized the establishment of such a board, the county judge, county superintendent of schools and the county health officer shall submit to the Kentucky Children's Bureau a list of nine persons, or if the county be one containing a city of the first or second class, fifteen persons, including representatives of both sexes. From this list the Kentucky Children's Bureau shall recommend three persons, or if the county be one containing a city of the first or second class, five persons, who shall then be appointed by the county judge, the county superintendent of schools and the county health officer. The members thus appointed shall constitute a Child Welfare Board for the county. The members shall serve without compensation but may be reimbursed by the county for all necessary expenses incurred in attendance upon board meetings or for other expenses incurred in the discharge of their official duties. This County Welfare Board shall have office or desk room in the court house at the county seat. The county may also employ a trained worker, whose salary shall be fixed by the County Welfare Board. The duties of this county board shall be:

- (1) To administer mother's aid in such county, subject to the approval of the director and the board of Children's Bureau, to search out and turn over to the proper agency for the crippled, blind, deaf mute, feeble-minded

children and whenever possible to make arrangements for their suitable care.

(2) To assist in enforcement of compulsory education.

(3) To act as probation or parole officers for courts that have chosen no special officers for that work. To make such investigation and perform such other service pertaining to children as may be requested by the fiscal court or the county judge. To assist the Kentucky Children's Bureau in the administrative performance of its duties with reference to children, and to perform such services as may be requested by the bureau. To make an annual report to the Children's Bureau and to make specific recommendations as to the needs of the children in their respective counties.

The annual expense for administration of the Children's Bureau at Frankfort shall not exceed \$10,000.00. For the purpose of Mothers' Aid direct \$35,000.00 is to be appropriated to take care of such cases as may be found worthy, the county to contribute an equal amount.

The above is in substance the purpose of this bill. So far as those who are sponsoring it are concerned they have not found a single instance of opposition to it. On the contrary, many organizations, associations, newspapers and prominent individuals, including large taxpayers, are heartily favoring the measure. Every state in the union except Alabama, Georgia, Kentucky, Mississippi, New Mexico and South Carolina have such a law or one similar to it. Among those states which have adopted this law are all of those bordering on the State of Kentucky.

This bill further fixes the qualification of mothers entitled to aid and fixes the period of time of their residence in the state and county before they can become recipients under this law. Every safeguard is thrown around it to keep it from being abused and being made a political football. One very strong argument in favor of it in the rural district is that any aid provided will be spent by the recipient in the county in which he lives. We feel, all those who are deeply concerned, that this is one of the most constructive pieces of social legislation which could possibly be brought forward and the amount of the appropriation is so small compared to the State Budget and to the enormous amount of good it will bring to the underprivileged child, and while this bill speaks of Mothers' Aid, it is really a bill for children, the whole idea being that children be kept together in their homes and under the guidance of their mother instead of families being broken up and the children being sent to different institutions. It is entirely the modern thought in child welfare and has the backing of all national organizations who have made a study of children. Among the organizations of the State, which are in favor of this bill are the Lexington Herald, Louisville Herald-Post, Louisville Courier-Journal, Times Democrat, Loyal Conference of Social Work, Inter-City Conference of Family Societies, and State Federation of Colored Women's Clubs, and many local organizations throughout the State have passed resolutions approving it.

This is the general purpose of the bill. The bill is now being drawn and will be submitted to you before it is introduced. We hope that you can

see your way clear to recommend in your message to the General Assembly the passage of this legislation. We feel that this bill will be universally approved by the people of the State as a measure, not only of real constructive work among children, but also from the humane side of all those having the welfare of children at heart.

Very truly yours,

(Signed) E. S. TACHAU.

Highways.

The Highway Commission wrote Governor Sampson December 28th, 1927, as follows:

Your Excellency:

In compliance with your request, the Highway Commission offer the following suggestions for your consideration in addressing your message to 1928 Kentucky legislature as to such laws as are necessary to facilitate the road building program and the development of roads in Kentucky:

1. We believe that the greatest progressive step in putting Kentucky to the front in road building would be the passage of a law by the legislature in the form of an enabling act empowering the State Highway Commission to float bonds to build bridges on the primary road system in Kentucky, permitting the Commission to pledge the physical property of the bridges so constructed as well as the tolls derived from bridges built for the purpose of paying the interest on the bonds and retiring the bonds as the sums accumulating each year would warrant. The proposed plan would provide that the engineering department are to design all bridges, make all plans and specifications, contracts to be awarded by the Commission, and the Highway Department to maintain the bridges after the bridges have been constructed; these bridges ultimately to be freed by the tolls collected, the State having the right at all times to retire the bonds from any public money which may be at the disposal of the Highway Commission at any time the Commission may be able to redeem the bonds and free the bridges.

2. The passage of a permanent five-cent gasoline tax for road and bridge purposes.

3. An act providing for an attorney for the Highway Department.

4. An Act specifically authorizing the Department to erect "stop" signs at all points where secondary State highways, county or private roads intersect with main highways, and requiring all vehicles to come to a stop on said side roads before entering the main highway.

Agriculture

Mr. Newton Bright, Commissioner of Agriculture, wrote Governor Sampson on December 28th, 1927, as follows:

I am herewith handing you as per request my suggestions as to the needs of matters coming under my department. Any favorable comment made by you on any of these matters will materially help in creating support for legislation later offered.

I am also enclosing outline of plan for formation of publicity bureau—simply my idea. We can discuss this more fully at a later date.

Most sincerely yours,

NEWTON BRIGHT, Commissioner.

KENTUCKY STATE FAIR

An increase in appropriations to both premium fund and maintenance fund. The Fair is now getting the same amount for maintenance which covers insurance, salaries and upkeep and repair on buildings as it did when the Fair was started twenty-five years ago.

While salaries have remained practically the same, amount of insurance has grown and repairs to buildings have grown and is growing yearly, due to depreciation on old frame buildings, originally built as temporary buildings. New roofs are needed and buildings need painting.

The enlargement of premium classifications made imperative on account of public demand, stimulated by such activities as boys' and girls' club work, home economics, a renewed and enlarged interest in poultry, live stock of all kinds, dairying, field and garden products, has made the appropriation and admission receipts inadequate to meet the demands, and for the Fair to keep pace with fairs in our adjoining states.

This is the only increase over 1926 and 1927 asked for, for the Fair, Kentucky's show window.

LABOR DEPARTMENT

New legislation will be asked for making labor laws more efficient both to the employer and employee, creating an industrial board to better safeguard the prevention of accidents, same to serve without pay.

STATE LIVE STOCK SANITARY BOARD

An increase of \$5,000 in appropriation for the handling of tuberculosis in cattle and the eradication of "sheep scab" that is spreading rapidly among the flocks of the State, diminishing the wool clip and retarding the growth and development of our spring lambs.

The Federal Government supplements our funds in this work, and a \$5,000.00 increase in appropriations would really mean a \$10,000.00 service to our State. Unless this is done in all probability the force now employed will have to be curtailed in the face of a growing demand for service.

DEPARTMENT OF AGRICULTURE

EUROPEAN CORN BORER

This is a pest affecting the corn crop of America that in some states has assumed alarming proportions. In the states of New York, Illinois,

Michigan, Ohio and Indiana, the spread has been rapid. The spread of the pests is caused by both natural and artificial causes. A sufficient sum should be appropriated so as to provide ample quarantine regulations, a proper staff to enforce quarantine regulations and to use effective means to prevent its spread, should it develop, between meetings of the legislature 1928 and 1930. This should be handled by Commissioner of Agriculture as a regulatory measure.

PUBLICITY BUREAU FORMED ALONG LINES AS STATE BOARD OF AGRICULTURE—NUMBER OF MEMBERS, TEN

Who to compose board—Governor, Commissioner of Agriculture, Dean of College of Agriculture, one member from each of the appellate districts, one member to represent the following lines of business: Press, banks, manufacturing industries, live stock industry, railroads, commercial clubs, one industry other than manufacturing.

Chairman—Commissioner of Agriculture.

Employees—Salaries of same: Such as may be deemed necessary by the bureau and salary to be fixed by board.

Salaries of members—\$5.00 per day and traveling expenses.

Time of meetings—Once each month at capitol.

Duties—To further carry out sections 33, 34 and 35 of the acts of April 2, 1892, same being chapter 4, Kentucky Statutes, Carroll's edition 1915, and by proper means of general publicity and by exhibitions of the State's natural resources at State Fairs and manufacturing expositions, and other ways suggested by members or friends of the "Publicity Bureau," appropriations not to exceed \$——— annually. Expenses of all employes and members to be paid upon order of board to chairman, by him through draft to auditor.

Bond—Commissioner as chairman to give bond for full amount of appropriation.

Term—Four years. This will give ample time to try out the matter and leave with succeeding governor as to whether or not to continue the same.

How appointed—Members—Four by Governor, four by Commissioner of Agriculture or all by the Governor.

Public Utilities

Col. Robert H. Winn, attorney at law, Mt. Sterling, Kentucky, wrote Governor F. D. Sampson on January 7th, 1928, as follows.

My Dear Governor:

In consonance with your program for a better, and better governed, Kentucky, I take the liberty of writing this letter and the suggestions to you.

With the widespread increase of public utilities and the use of public commodities in Kentucky, there is an urgent need for a Public Service

Commission. Every town of consequence in the state has electric service and water service. From Louisville to Ashland pretty much every town of consequence has a natural gas service. Every town of consequence in the state has a telephone service.

It has been the custom between municipalities and the public utilities concerns to sell and buy long term franchises, in which there were flat contract rates; but the utility concerns are now getting away from this flat rate contract plan, and are demanding franchises in which the rates may be made the subject of revision every two or three or four of five years.

Now that half-baked act appearing in Sections 201e-1, et seq., of the Statutes, endeavors, in some sort of futile and ineffective form, to give, under certain conditions, control of these matters to the Railroad Commission, a constitutional body the membership whereon is apt to be without experience in the involved matters of rate making. Other legislative enactments have endeavored to give control of rates in different class towns (note, e. g., sub-section 36 of section 3490 of the Statutes, applicable for fourth class towns) to the boards of council, without any right of appeal from their decisions to the courts; and with the inescapable result that there is always litigations generally in the Federal Courts, assaulting these legislative made rates as confiscatory. Again, the constitutionality of Section 201e-1 of the Statutes is being sharply assaulted in the Warfield Natural Gas case over the gas rates at Ashland, Kentucky, argued just before the adjournment of the Supreme Court and, because doubtless of the differences in the court, directed to be reargued on February 27th. Note as well as the annotator's suggestion that sub-section 36 of section 3490 is questioned as being probably unconstitutional. Now, as a practical matter, I have for Lexington, a second-class town, a gas rate proceeding pending with the Railroad Commission, with at least grave doubt as to the jurisdiction of that body to decide the matter. And for the city of Mt. Sterling, I have a gas rate litigation in Judge Cochran's court with the question as to the constitutionality of this sub-section 36 involved there. These typical examples manifest the cumbersome and uncertain machinery operating in Kentucky to controll these large questions, both of rates and of rules which should govern these public utility concerns. It is my judgment that the public and the utility concerns alike would welcome the creation of a high grade board modeled after the public utility boards of other states, which would have authority over these sundry debatable questions.

One other suggestion: the board should be composed of men of as high training as are the members of the Court of Appeals—men with minds so far developed in thinking out questions of this character as that they might bring to their consideration and decision apt intelligences.

Upon these thoughts I take the liberty of suggesting to you the recommendation of the creation of a public service commission by the present General Assembly.

I have the honor to be,

Very truly yours,

(Signed) ROBERT H. WINN.

Labor

The secretary of Labor Legislation wrote Governor Sampson as follows:

WORKMEN'S COMPENSATION

The present compensation awards are totally inadequate for the reason that the tabulated figures as set forth in the Act, are figures arrived at prior to 1914, and were based upon the prevailing low living cost of that period.

It is true that the General Assembly granted a slight increase in the maximum payments in the 1920 session, which however was, and is not now sufficient to meet the cost of living.

I would urge upon the members of the present Assembly to add such increases as will meet the recognized increased standard now bearing upon the subject.

STATE INSURANCE

The cost of insurance is always the outstanding feature that determines the award to the injured workman or his dependents in case of death. I am of the opinion that competitive insurance has the tendency to duplicate such cost in many instances, while the plan of state insurance would positively decrease the cost to the employer, while at the same time permit a more adequate compensation to the injured workman and his dependents.

It is an established fact that the actuarial report states that the expense ratio of the State Fund is only ten per cent as compared with thirty-six per cent upon an insurance company basis.

I believe that the General Assembly will have an unusual opportunity to render a great service to the people, by making an investigation of the plans now in vogue in our most progressive states, and in particular to direct attention to the prevailing industrial insurance under state control, as well as to the administrative features that prevail in connection therewith.

INJUNCTIONS IN LABOR DISPUTES

The abuses of court injunctions are becoming more prevalent in the judiciary department of our State Government.

This is especially true in so far as it affects the labor group of our citizenry. At the present time such injunctions are issued without the other side being permitted an opportunity to be present or represented by counsel in court, or to examine, answer and controvert the personal

affidavits upon which the injunction is applied for. I deem this as a grave injustice and discriminating in character.

A Bill should be introduced, providing that the code of civil practice shall be amended so as to require that no injunction shall be issued in an industrial dispute until after a hearing before the judge to whom the application is made, at which time the facts alleged in the application and affidavits are to be tested and answering affidavits submitted by the parties against whom the restraining order is sought.

Charges of violations or evasions shall be tried by a jury and guilt or innocence established by a verdict.

MOTHERS' AID

The bill for mothers' pensions or mothers' aid to give relief to the worthy mothers of our state who have little children dependent upon them is a forward-looking measure. It has my hearty endorsement.

The famous White House Conference on Child Welfare called by President Roosevelt in 1909 declared: "Home life is the highest and finest product of civilization. It is the great molding force of mind and character. Children should not be deprived of it except for urgent and compelling reasons." The whole idea of Mothers' Aid is to keep the child with his own mother, if she is a good mother. It means building good citizens. At the same time the State is simply building more firmly for itself.

Kentucky is surrounded by states which have adopted this plan and 42 states in all have mothers' aid. I favor and urge the passage of the Mothers' Aid law by the present legislature.

Mr. Nichols of the House moved that this Joint Session do now dissolve.

Said motion was agreed to.

The Speaker having resumed the Chair,

Mr. Crossland offered the following Resolution, viz.:

Be it Resolved by the House of Representatives, That the Superintendent of Public Printing be directed to have printed for the use of each member of this House fifty copies of the Governor's message wrapped, and stamped and ready for mailing and that same be placed on the member's desk through the Sergeant-at-Arms of this House.

Said Resolution was adopted.

Mr. Meyers moved that the House do now adjourn.

Said motion was agreed to.

And in accordance with a concurrent Resolution previously adopted by this House today, the House stood adjourned until next Monday, January 16, at 1 o'clock P. M.

MONDAY, JANUARY 16, 1928.

The House was opened with prayer by the Reverend Hampton Adams of the Christian Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	J. O. Creech	E. L. Hagan
A. L. Allen	C. B. Crossland	A. L. Hall
S. E. Anderson	J. R. Dorman	John G. B. Hall
W. B. Ardery	E. J. Doss	T. W. Hardesty, Jr.
W. O. Bach	W. M. Duncan	Herman Handmaker
Walter J. Bailey	Thos. J. Dunn	Brooks L. Hargrove
A. J. Baldrige	D. E. Edwards	C. W. Hawkins
W. O. Baxter	J. W. Edwards	Joseph M. Hayse
T. H. Benton	J. O. Evans	Phillip Helf
W. P. Bowman	Virgil Eversole	J. R. Hobbs
Thos. L. Britton	Chas. H. Fair	J. S. Hollan
W. G. Buckner	W. J. Fisher	H. B. Holland
S. J. Bunger	J. C. Flener	S. K. Holland
Sam P. Burnam	Duke W. Fowler	Ira L. Horn
E. L. Campbell	Chas. B. Fulton	Robt. L. Horn
J. G. Campbell	J. B. Furlong	Josephus Howard
Chas. B. Carver	F. A. Gnau	W. F. Hunter
Harry Cochran	R. C. Graham	Lester Jeter
John Cooper	W. T. Green	T. M. Johnson

John C. Kemper	L. P. Murphy	M. E. Sparks
John B. Klefot	James H. Muse	Dan Stamper
Porter J. Land	L. C. Nell	Frank L. Strange
S. D. Laughlin	Andrew Nichols	J. G. Swearingen
Leon P. Lewis	J. H. Payne	Mac Swinford
Wm. McClave	Levi W. Powell	J. B. Taylor
J. L. McKnight	J. G. Prather	E. G. Thomas
Wm. McRohan	W. H. Pryor	C. F. Thornton
Clark Macdonald	B. A. Robertson	P. H. Vincent
J. L. Manning	C. W. Ryans	J. C. Watkins
Luther Morse	Vernon Shuffett	L. M. Weathers
C. C. May	Charles Smith	J. A. White
Henry Meiman	Daniel Boone Smith	
Harry J. Meyers	S. G. Smith	

Mr. Meyers moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Hawkins moved that the privileges of the floor be extended to the Hon. John Cushing, former member of this House.

Said motion was agreed to.

Mr. Robertson moved that the privileges of the floor be extended to Mr. Burrell S. Winter.

Said motion was agreed to.

Mr. Meyers offered the following resolution, viz.:

A RESOLUTION PERTAINING TO THE REPORT OF THE JOINT COMMITTEE OF THE GENERAL ASSEMBLY APPOINTED TO MAKE AN INVESTIGATION AND MAKE UP REPORT OF THE COVINGTON AND CINCINNATI BRIDGE COMPANY, AND REFERRING SAID REPORT TO HON. F. D. SAMPSON, GOVERNOR, AND HON. J. W. CAMMACK, ATTORNEY GENERAL OF THE COMMONWEALTH OF KENTUCKY FOR ACTION THEREON.

Whereas, under and pursuant to Senate Resolution No. 15, which is Chapter 348 of the Acts of the General Assembly (Kentucky Acts 1926, page 1017) approved February 19, 1926, two Senators and three Representatives of the General Assembly of the Commonwealth of Kentucky were duly appointed and constituted a Committee of the General Assembly of the Commonwealth of Kentucky, and were authorized and empowered to investigate and ascertain the rates of tolls charged by said Bridge Company for passing over said bridge, the total amount of income received by said company from all sources, the authorized outstanding capital stock of said company, the bonded indebtedness thereof, the amount of dividends declared and paid, and all other information pertaining to the financial condition of said Bridge Company; and,

Whereas, said Committee did, pursuant to said resolution make said investigation and made its report to the General Assembly of the Commonwealth of Kentucky; and,

Whereas, the General Assembly of the Commonwealth of Kentucky passed House Resolution No. 18, which is Chapter 370 of the Acts of the General Assembly of the Commonwealth of Kentucky 1926 (Kentucky Acts 1926, page 1043) approving the report of the Joint Committee appointed to investigate and make a report on the financial statement of The Covington and Cincinnati Bridge Company, which by said Resolution was accepted and approved as and for the report

of said Covington and Cincinnati Bridge Company for the years 1924 and 1925, which said company is required to make under and pursuant to the provisions of Section 8 of the Acts of the General Assembly approved February 17, 1846, entitled, "An Act Incorporating The Covington and Cincinnati Bridge Company," and referred said report to Hon. Wm. J. Fields, Governor, and Hon. Frank E. Daugherty, Attorney General of the Commonwealth of Kentucky, and directed and authorized the said Frank E. Daugherty to file action in a court having jurisdiction thereof, either on relation of himself as Attorney General of the Commonwealth of Kentucky against the Covington and Cincinnati Bridge Company, to cancel all the capital stock illegally issued under and pursuant to the Amended Articles of Incorporation of said Bridge Company, or any capital stock illegally issued or proposed to be issued by said Bridge Company, and to compel said Bridge Company to reduce its capital stock to an amount not exceeding the sum of Eight Hundred and Ninety-four Thousand, Three Hundred (\$894,300.00) Dollars, or the amount thereof authorized prior to October 2, 1925, and to compel said Bridge Company to comply in every respect with the terms, conditions and provisions of its charter as set out and provided in said Special Act of the General Assembly and amendments thereto; and,

Whereas, the said Frank E. Daugherty failed to conform to or comply with the provisions of said resolution and file said action or any action as directed in said resolution; now therefore

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That said resolution and said report of said Committee concerning the financial condition of The Covington and Cincinnati Bridge Company be, and the same is hereby referred to Hon. Flem D. Sampson, Governor of the Commonwealth of Kentucky, and Hon. J. W. Cammack, At-

torney General of the Commonwealth of Kentucky, for the purpose of carrying out, conforming to and complying with the provisions of said resolution accepting said report, and the said Attorney General, Hon. J. W. Cammack, is hereby authorized and directed to file suit in the court having jurisdiction of the matter involved, on relation of himself as Attorney General of the Commonwealth of Kentucky, or in the name of the Commonwealth of Kentucky against said Covington and Cincinnati Bridge Company, to cancel any and all of the capital stock authorized by the Amended Articles of Incorporation of said Covington and Cincinnati Bridge Company, unlawfully or illegally issued or proposed to be issued by said company under the amended Articles of Incorporation, whereby said Bridge Company increased its capital stock from Eight Hundred and Ninety-four Thousand Three Hundred (\$894,300.00) Dollars to Two Million, Seven Hundred and Forty-nine Thousand, Seven Hundred (\$2,749,700.00) Dollars, and further to compel said Bridge Company to comply in all and every respect with the terms, provisions and conditions contained in its charter as provided in the Special Act of the General Assembly approved February 17, 1846, and amendments thereto, and to compel said Bridge Company to make reductions in tolls charged for crossing said bridge, in manner and form provided in said special act.

Whereas, said Covington and Cincinnati Bridge Company has fixed the toll rates and is now collecting toll for crossing said bridge, so as to earn fifteen (15%) per cent on the entire capital stock of said bridge company authorized by the Amended Articles of Incorporation increasing the capital stock One Million, Eight Hundred and Fifty-five Thousand, Four Hundred (\$1,855,400.00) Dollars, in violation of the provisions of said Special Act incorporating said company, and will continue to collect tolls at the rate so fixed, contrary to the provisions of its charter, an emergency is hereby declared to exist, and this resolution shall take effect immediately upon its adoption by the General Assembly.

Said Resolution was adopted.

The Speaker laid before the House the following proclamation and called for an election to be held in the First Legislative District of the Commonwealth to fill the vacancy caused by the death of the late Moorman B. Daniel, viz.:

PROCLAMATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY PROCLAIMING A VACANCY AND CALLING AN ELECTION TO FILL SAID VACANCY IN THE FIRST LEGISLATIVE DISTRICT OF THE COMMONWEALTH OF KENTUCKY.

To the Sheriffs of Fulton and Hickman Counties:

I, John S. Milliken, Speaker of the House of Representatives of the General Assembly of the Commonwealth of Kentucky, hereby proclaim that a vacancy exists in the office of Representative from the First Legislative District, comprising the Counties of Fulton and Hickman, by reason of the death of the late Moorman B. Daniel, and an election is hereby called, and by virtue of this call, the said election shall be held on Wednesday, February 15th, 1928, to fill the vacancy aforesaid, and the Sheriffs of Fulton and Hickman Counties are hereby directed to give notice of said election as required and provided by law, and will cause this proclamation to be published, for at least Twenty days in Two newspapers printed in the said District, if there be such, or in conformity to the provisions of the Constitution and laws of this Commonwealth.

Given under my hand, as Speaker of the House of Representatives of the General Assembly of the Commonwealth of Kentucky this January 16th, 1928.

JOHN S. MILLIKEN,
Speaker of the House of Representatives
of the General Assembly of the Commonwealth of Kentucky.

Attest:

CHAS. J. HOWES,
Chief Clerk of the House of
Representatives.

The following communication in writing was received from Hon. Flem D. Sampson, Governor of the Commonwealth, viz.:

January 16, 1928.

To the General Assembly of the
Commonwealth of Kentucky:

Herewith I transmit to you for your inspection, consideration and approval, the official bond of Mrs. Emma Guy Cromwell, State Treasurer, in pursuance of Section 4681 Kentucky Statutes, in such cases made and provided.

I have examined the surety and had its sufficiency examined into by the Attorney General of the State, and am of opinion that it is sufficient and have approved it, all of which I respectfully submit.

Very respectfully,

FLEM D. SAMPSON, *Governor*.

KNOW ALL MEN BY THESE PRESENTS: That Emma Guy Cromwell, as principal, and National Surety Company, a corporation under the law of the State of New York, and authorized and qualified to become surety on bonds of Public Officials and others in the State of Kentucky, as Surety, are held and firmly bound unto the Commonwealth of Kentucky, in the penal sum of THREE HUNDRED THOUSAND (\$300,000.00) DOLLARS, that the said Emma Guy Cromwell shall faithfully perform and discharge all of the duties of the office of State Treasurer for the State of Kentucky, thereto elected for a term of four years from the first Monday in January 1928.

In Testimony Whereof, witness the signature of said Emma Guy Cromwell, and the signature and corporate seal of the National Surety Company, this 9th day of December, 1927.

(Signed) EMMA GUY CROMWELL,

NATIONAL SURETY COMPANY,

By Allen E. Smith,

Attorney-in-Fact.

(Seal of Surety Co.)

Approved: 12/23-1927.

F. D. Sampson, Governor.

ATTEST L. MOORMAN,
Resident Assistant Secretary

State of Kentucky }
County of Jefferson } ss:

On this 21st day of December, A. D. 1927, before me personally came George D. Heaton, to me known, who, being by me duly sworn did depose and say, that he resides in the City of Louisville; that he is the Atty.-in-Fact of the National Surety Company, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

(SEAL)

LAFÉ MOORMAN,

Notary Public, Jefferson County, Ky.
My Commission expires April 25, 1928.

KNOW ALL MEN BY THESE PRESENTS, that the National Surety Company, a corporation duly organized and existing under the laws of the State of New York, and having its principal offices in the City of New York, hath made, constituted and appointed, and does by these presents make and constitute and appoint, Allen E. Smith of Louisville and State of Kentucky, its true and lawful Attorney, with full power and authority hereby conferred in its name, place and stead, to sign, execute and acknowledge a certain bond for Emma Guy Cromwell as Treasurer of the State of Kentucky, in an amount of Three Hundred Thousand (\$300,000) Dollars, and to bind the National Surety Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the common seal of the Company, and duly attested by its Secretary, hereby ratifying and confirming all the acts of said Attorney pursuant to the power herein given.

This power of attorney is made and executed pursuant to and by authority of the following Resolution adopted by the Executive Committee of the Board of Directors of the National Surety Company at a meeting duly called and held on the twenty-seventh day of April, 1921:

Resolved, that Mr. George D. Heaton as Attorney-in-Fact or one of the Resident Vice Presidents and one of the Resident Assistant Secretaries of this Company at Louisville, in the State of Kentucky, be and they hereby are authorized and empowered to make, execute and deliver, in behalf of the Company, unto such person or persons in the State of Kentucky, as they may select, its power of attorney constituting and appointing each such person its Attorney-in-Fact, with full power and authority to make, execute and deliver, for it in its name and in its behalf, as surety, any particular bond or undertaking that may be required in the said State of Kentucky, the nature of such bond or undertaking to be in each instance specified in such power of attorney"

IN WITNESS WHEREOF, the National Surety Company, has caused these presents to be signed by its Attorney-in-Fact and its corporate seal to be hereto affixed, duly attested by its Resident Assistant Secretary, this 21st day of December, A. D. 1927.

(SEAL)

NATIONAL SURETY COMPANY
By George D. Heaton,
George D. Heaton, Atty.-in-Fact.

CERTIFICATE

I, ELLA LEWIS, Secretary of State for the Commonwealth of Kentucky, do certify that the foregoing writing has been carefully compared by me with the original record thereof, now in my official custody as Secretary of State and remaining on file in my office, and found to be a true and correct copy of the Bond of Mrs. Emma Guy Cromwell, State Treasurer, filed on January 3, 1928.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal.

Done at Frankfort this 16th day of January, 1928.

ELLA LEWIS,
Secretary of State.

Mr. Lewis moved the privileges of the floor be extended to Hon. W. T. McGuire, former member of this House.

Said motion was agreed to.

Upon a call of the counties and Legislative Districts, the following bills and Joint Resolutions were introduced, ordered printed and referred as follows, viz.:

By Mr. Thornton:

H. B. 85. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from the Florence Warsaw road near Florence or at Florence to the road leading from Covington to Constance in Boone County, Kentucky, and designating same as State Project No. 13-13.

To Committee on Roads and Highways No. 3.

By same:

H. B. 86. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Verons to the Florence Warsaw road in Boone County, Kentucky, and designating same as State Project No. 13A.

To Committee on Roads and Highways No. 3.

By same:

H. B. 87. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Hebron to the Burlington and Florence road in Boone County, Kentucky, and designating same as State Project No. 103A.

To Committee on Roads and Highways No. 3.

By same:

H. B. 88. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways, a road leading from Dam No. 38 Mowille, via Rabbit Hash, through East Ben, Big Boone via Huey's Corner near Grange Hall to Union, all in Boone County, Kentucky, and designating same as State Project No. 5 A-4.

To Committee on Roads and Highways No. 3.

By same:

H. B. 89. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Burlington to a point at or near Idlewild in Boone County, Kentucky, and designating the same as State Project No. 103 A-2.

To Committee on Roads and Highways No. 3.

By same:

H. B. 90. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Burlington to the Ohio River Road in Carlton Precinct in Boone County, Kentucky, and designating the same as Project No. 5 A-3.

To Committee on Roads and Highways No. 3.

By Mr. Ardery:

H. B. 91. An Act providing that in all felony prosecutions in the Circuit Courts of the Commonwealth of Kentucky wherein a defendant has no money or property with which to secure the services of an attorney to represent him, it shall be the duty of the Court to appoint an attorney of that Court to represent him, and the Court shall fix an allowance for such services, the same to be taxed as costs in the case.

To Committee on Circuit Courts.

By Mr. J. S. Hollan:

H. B. 92. An Act to authorize the testimony of husband and wife for or against the other in Civil and Criminal causes and motions.

To Committee on Codes of Practice.

By same:

H. B. 93. An Act to amend Section 280 of the Code of Practice in Criminal Cases.

To Committee on Codes of Practice.

By Mr. Cochran:

H. B. 94. An Act to amend Chapter 36, Section 4, Subdivision 3 of Carroll's Kentucky Statutes, known as 126792.

To Committee on Public Health.

By Mr. Hardesty:

H. B. 95. An Act to repeal, amend and re-enact Sections 1 and 2 of Chapter 11, of the Acts of 1896, approved March 17, 1896, for the protection of purchasers, lessees and encumbrancers of real estate.

To Committee on Kentucky Statutes.

By Mr. S. G. Smith:

H. B. 96. An Act to establish a State Primary Road Project, to be known as Project No.—, beginning at the intersection of State Projects Nos. 23, 27 and 40, as established by the Act of March 16, 1920, and Federal Aid Road 161, at Albany, Clinton County; thence running southwestwardly in Clinton County to the Kentucky and Tennessee State line near Lilydale, Tennessee.

To Committee on Roads and Highways No. 3.

By Mr. Kemper:

H. B. 97. An Act establishing a road from Marion, Crittenden County, to the landing opposite Elizabethtown, Hardin County, Illinois, as a part of the Primary System of State Highways, to be known as Project No.—.

To Committee on Roads and Highways No. 3.

By same:

H. B. 98. An Act establishing a road from Marion in Crittenden County to Shady Grove, Crittenden County, and Providence, Webster County, as a part of the Primary System of State Highways, to be known as Project 108-A.

To Committee on Roads and Highways No. 3.

By Mr. Robertson:

H. B. 99. An Act to amend and re-enact Section 8 of Chapter 34 of the Acts of the General Assembly of Kentucky of 1920, said Act being entitled: "An Act creating the Kentucky Geological Survey, etc."

To Committee on Geological Survey.

By Mr. Sparks:

H. B. 100. An Act to repeal the charter of Martinsburg, Elliott County, Kentucky.

To Committee on Cities of 5th and 6th Class.

By Mr. Creech:

H. B. 101. An Act providing that the estates of inmates of County Infirmaries shall be liable for the upkeep of said persons, and providing the means of enforcing said claims.

To Committee on Charitable Institutions.

By same:

H. B. 102. An Act to prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for the violation thereof.

To Committee on Kentucky Statutes.

By same:

H. B. 103. An Act to amend and re-enact Section 331e-17 relating to appointment and salary of stenographers for Juvenile Court in counties having a city of First and Second Class, and fixing compensation for said stenographer.

To Committee on Juvenile Courts and Children's Home.

By Same:

H. B. 104. An Act relating to the appointment of fiduciaries and the settlement of decedents' estates specifying under what circumstances administration shall be unnecessary upon any estate and providing that method whereby funeral expenses may be paid and the method by which banks and trust companies may be authorized to pay money on deposit when there is no administration, and to whom said money shall be paid.

To Committee on County and City Courts.

By same:

H. B. 105. An Act to amend Sec. 1 of Chapter 43 of the Acts of the General Assembly of 1914 as amended by Chapter 41 of the Acts of 1926, relating to the office of stenographers for the County Judge in certain counties, being sec. 1016a-1 Carroll's Kentucky Statutes, 1922 Edition.

To Committee on County and City Courts.

By same.

H. B. 106. An Act to amend and re-enact Sec. 2097 Kentucky Statutes, Carroll's 1915 Edition, relating to marriages which are prohibited and declared void.

To Committee on Kentucky Statutes.

By Mr. Muse:

H. B. 107. An Act relating to roads and highways of the State Primary Road System.

To Committee on Roads and Highways No. 2.

By Mr. Hagan:

H. B. 108. An Act repealing and re-enacting Sec. 3721-2 of Carroll's Kentucky Statutes, 1922 Edition, relating to Notaries Public.

To Committee on Kentucky Statutes.

By Mr. Eversole:

H. B. 109. An Act to give women jurors the privilege and right, to claim absolute and peremptory exemption from jury service, when and where they so desire.

To Committee on Kentucky Statutes.

By Mr. McDonald:

H. B. 110. An Act to repeal an Act entitled "An Act providing for the better government, administration and discipline of the police and fire departments of cities of the third class, and to create and perpetuate a pension fund for disabled police and firemen in such cities, their widows and children and dependent fathers and mothers and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after service of a term of years, and to provide revenue for the payment of

same," which Act was approved March 25, 1926, and is now Chapter 132 Acts of the General Assembly of 1926.

To Committee on Cities of the 2nd and 3rd Class.

By same:

H. B. 111. An Act establishing as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road running from Corydon, Henderson county to Poole, Webster county, same connecting U. S. No. 60 and U. S. No. 41.

To Committee on Roads and Highways No. 2.

By same:

H. B. 112. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road running from Henderson to Primary State Road No. 76 in Daviess County.

To Committee on Roads and Highways No. 2.

By Mr. J. G. B. Hall:

H. B. 113. An Act to repeal Sections 203 and 204 of Carroll's Criminal Code of Practice of Kentucky—Second Edition—and to revise and re-enact the same, providing for preemptory challenges of jurors in all prosecutions, and to repeal all laws in conflict herewith.

To Committee on Codes of Practice.

By Mr. Fowler.

H. B. 114. An Act to assist disabled ex-service men and women of the World War in obtaining from the Federal Gov-

ernment the relief authorized by Acts of Congress, continuing in existence for that purpose the Kentucky Disabled Ex-Service Men's Board and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said board, and declaring an emergency to exist.

To Committee on Military Affairs.

By Mr. Gnau:

H. B. 115. An Act relating to revenue and taxation in municipal corporations of the first class and cities of the first class, providing that no municipal corporation of the first class or city of the first class shall impose a license, excise or privilege tax upon any person, firm or corporation for the privilege of operating motor vehicles.

To Committee on Cities of the First Class.

By Mr. Handmaker:

H. B. 116. An Act to amend and re-enact Sec. 2105 Kentucky Statutes being Chapter 205 Article 1, Sec. 10 of Acts of 1893, relating to marriage.

To Committee on Kentucky Statutes.

By Mr. Hayse:

H. B. 117. An Act making an appropriation and appointing commissioners for the purpose of purchasing and placing statues of Abraham Lincoln and Jefferson Davis in National Statuary Hall in the Capital of the United States in Washington, D. C.

To Committee on Kentucky Statutes.

By same.

H. B. 118. An Act to amend Sec. 1763 of Carroll's Kentucky Statutes, 1922, relating to the salaries of Deputy Circuit Clerks in counties having a population of over 75,000 inhabitants.

To Committee on Circuit Courts.

By same:

H. B. 119. An Act to amend Chapter 74, Article 1, Sec. 2241, Carroll's Kentucky Statutes, of 1922, in regard to the selection of juries in counties having therein a city of the first class.

To Committee on Kentucky Statutes.

By same:

H. B. 120. An Act to amend "An Act to amend and reenact Sec. 911 of the Kentucky Statutes, Carroll Edition 1915, relating to official indexers," approved March 23, 1920, being section 911 of Carroll's Kentucky Statutes, 1922 Edition.

To Committee on County and City Courts.

By Mr. Ryans:

H. B. 121. An Act to amend Chapter 138, of the session Acts of 1922, entitled "An Act for the benefit of the Red Cross Association (Colored) of Louisville" by increasing the appropriation therein from Five to Ten Thousand Dollars per annum and increasing the bond required thereunder from Ten to Twenty Thousand Dollars.

By same:

H. B. 122. An Act to promote the development, progress and general welfare of the Commonwealth of Kentucky through publicity of its assets, advantages and attractions, by an appropriation to be used for State publicity under the direction and supervision of the Kentucky Chamber of Commerce.

To Committee on Kentucky Statutes.

By same:

H. B. 123. An Act for the benefit of the Home for Incurables.

To Committee on Appropriations No. 1.

By same:

H. B. 124. An Act providing for the establishment and maintenance of penal farms in counties containing a city of the first class for their government and management, for the confinement of certain prisoners thereon, and for the fees of the jailer for such prisoners so confined.

To Committee on Cities of the First Class.

By same:

H. B. 125. An Act to provide for the creation and organization of a City Planning and Zoning Commission for cities of the first class and surrounding territory which bears relation to the planning and zoning thereof; to prescribe and regulate the powers and duties of such Commission; to empower cities of the first class to take such action as may be necessary, by ordinance or otherwise, to approve and effec-

tuate or to disapprove the Commission's action insofar as it may affect property within the limits of such city, and to provide a fund for defraying the expenses of the Commission and to levy a tax for that purpose; to authorize the Fiscal Court of the county in which a city of the first class is located, to approve or disapprove the action of the Commission insofar as it affects property located outside the limits of such city but within the limits of the county; to create a Board of Adjustment and provide for the appointment of its members and define the powers and prescribe the procedure of such Board; to provide for an appeal to the Circuit Court of the county, and thence to the Court of Appeals, from the orders, decisions or rulings of the Board of Adjustment; to provide a penalty for violation of this Act or any ordinance or regulation made under authority conferred thereby, and also to provide a remedy by proceedings in court for an injunction or other similar relief.

To Committee on Cities of the First Class.

By same:

H. B. 126. An Act to promote the welfare of the delinquent, neglected, dependent or defective children of the State; repealing Chapter 107 of the Acts of 1922 and abolishing the Kentucky Child Welfare Commission created thereby; creating in its place a bureau with the duties, functions, rights and powers of the Kentucky Child Welfare Commission to be known as "The Kentucky Children's Bureau" and defining and prescribing its duties and functions; providing for the creation of Children's Bureaus in each county, and defining and prescribing their duties and functions; providing for the establishment of a State Mothers' Aid Fund and County Mothers' Aid Funds in each county to be administered under the State or County Children's Bureau respectively; providing for the administering of Mothers' aid throughout the

State; making an appropriation for the benefit of the Kentucky Children's Bureau, and the State Mothers' Aid Fund; and authorizing county levies for the establishment of County Mothers' Aid Funds.

To Committee on Juvenile Courts and Children's Homes.

By Mr. Dunn:

H. B. 127. An Act defining plumbing, master plumber and journeyman plumber; establishing and creating a State Board of Plumbing Commissioners; prescribing its powers and duties; providing for examinations and issuing certificates to qualified registered master plumbers and registered journeymen plumbers and providing for penalties for violations of the provisions of this act.

To Committee on Public Health.

By Mr. Meiman:

H. B. 128. An Act to amend an Act entitled "An Act to amend Subsec. c of Sec. z, Chapter 90, page 415 of the Acts of the General Assembly of 1920, regulating fees for passenger automobiles," which was affirmed March 23, 1922, and to further regulate fees for passenger automobiles.

To Committee on Motor Transportation.

By Mr. Meyers:

H. B. 129. An Act forbidding Fire Insurance Companies doing business in this Commonwealth from entering into any compact association or partnership for the purpose of establishing rates of insurance or regulating the compensation paid agents of said companies.

To Committee on Insurance, Fire and Marine.

By same:

H. B. 130. An Act to amend and re-enact Sec. 2739-g-11 Kentucky Statutes, 1922 Edition of John D. Carroll, in relating to the display of receipt and registration plates on motor vehicles.

To Committee on Motor Transportation.

By same:

H. B. 131. An Act to amend and re-enact. Sec. 3142b-4 of the edition of the Kentucky Statutes compiled and edited by John D. Carroll.

To Committee on Cities of the 2nd and 3rd Class.

By Mr. Howard:

H. B. 132. An Act providing free Textbooks for all the children of the State who attend free Public Schools, grades one to eight, inclusive.

To Committee on Education No. 1.

By Mr. D. B. Smith:

H. B. 133. An Act providing for the creation of a Bureau of Commerce and Industry; its membership; administration and duties of the Bureau and providing for an Executive Director and an appropriation.

To Committee on Kentucky Statutes.

By Mr. Nichols:

H. B. 134. An Act to repeal, amend and re-enact Section 7 of "An Act to amend and re-enact Section 16, Chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, as amended and re-enacted by Section 16 of Chapter 114 of the Acts of the General Assembly of 1922; and to amend and re-enact Section 18, subdivision 3, Chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917 as amended and re-enacted by Sections 1, 2, 3 and 4 of Chapter 89 of the Acts of the General Assembly of 1920; and to amend and re-enact Section 23, subdivision 3, Chapter 1, of the Acts of the Extraordinary Session of the General Assembly 1917; and to amend and re-enact Section 29, subdivision 3, Chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917 and to amend and re-enact Section 33, subdivision 3, Chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917; and to amend and re-enact Section 34, subdivision 3, Chapter 1 of the Acts of the General Assembly of 1917; and to repeal Section 35, subdivision 3, Chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, as amended and re-enacted by Section 1 of Chapter 147 of the Acts of the General Assembly of 1920; and to amend and re-enact Section 3, Chapter 11 of the Acts of the General Assembly of 1918, as amended and re-enacted by Chapter 101 of the Acts of the General Assembly of 1922; being an Act relating to revenue and taxation providing for the assessment of property for taxation and the supervision and equalization of assessments, providing for the appointment of County Boards of Supervisors and their meetings and compensations, and the equalization of the assessment of property by the County Boards of Supervisors and the State Tax Commission sitting as a State Board of Equalization and Assessment and defining their powers and duties, and providing for the powers and duties of the County Tax Commissioners and County Clerks respecting the assessments and recapitulations thereof and

their compensations therefor, and prescribing penalties, and repealing existing statutes.

To Committee on Revenue and Taxation No. 1.

By Mr. Jeter:

H. B. 135. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County thence to Turnersville, Lincoln County, Kentucky, be and is hereby made a part of the State Primary System of Highways.

To Committee on Roads and Highways No. 2.

By same:

H. B. 136. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County, thence to Kings Mountain, Lincoln County, Kentucky, and on to a point nearby intersecting the State Highway running between Danville, Kentucky, and Somerset, Kentucky, and on to a point nearby intersecting the State Highway System of Highways.

To Committee on Roads and Highways No. 2.

By same:

H. B. 137. An Act entitled An Act establishing and making the road from Hustonville, Lincoln County, Kentucky, to Mt. Salem, Lincoln County, Kentucky, a part of the Primary System of State Highways of the Commonwealth of Kentucky and designating said road as Project No.—.

To Committee on Roads and Highways No. 2.

By Mr. J. W. Edwards.

H. B. 138. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which Act relates to roads and bridges and the creation of the Department of State Roads and Highways, etc.

To Committee on Roads and Highways No. 2.

By same:

H. B. 139. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which Act relates to roads and bridges and the creation of the Department of State Roads and Highways, etc., but adding to said Act Project No.— which shall run from Franklin in Simpson County, Kentucky, to Morgantown, Butler County, Kentucky, via South Union in Logan County, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 140. An Act amending and re-enacting Section 13 of an Act entitled “An Act defining boundaries for school districts embracing cities of the fourth class, and providing systems of schools in such districts and creating board of education for such districts and providing for election thereof, defining their powers and duties and repealing all laws in conflict therewith,” approved March 13, 1920, and is now Section 3587a-13, Carroll’s 1922 Edition of the Kentucky Statutes.

To Committee on Cities of the 4th Class.

By Mr. White:

H. B. 141. An Act relating to roads and highways and establishing as a part of the primary system of the Commonwealth of Kentucky a road leading from Hestand, Monroe County, to Raydure, Monroe County.

To Committee on Roads and Highways No. 3.

By same:

H. B. 142. An Act relating to roads and highways and establishing as a part of the primary system of the Commonwealth of Kentucky a road leading from Gamaliel, Monroe County, Kentucky, to the Kentucky-Tennessee State line.

To Committee on Roads and Highways No. 3.

By same:

H. B. 143. An Act to repeal and re-enact Section 1160 of Baildwin's 1926 Supplement to Kentucky Statutes, Carroll's 1922 Edition, being Chapter 61 of the Acts of the General Assembly of 1922, being entitled "An Act to amend and re-enact Section 1160 Kentucky Statutes, Carroll's Edition 1915, relating to assault with attempt to rob," so that said Section when thus repealed and re-enacted shall read as follows.

To Committee on Criminal Law.

By Mr. Charlie Smith:

H. B. 144. An Act relating to roads and bridges and establishing as a part of the Primary System of State High-

ways, a road leading from Central City, Kentucky, via Kinchelo's Bluff to Centertown, Kentucky, and designating same as State Project No.—.

To Committee on Roads and Highways No. 3.

By same:

H. B. 145. An Act relating to roads and bridges, and establishing as a part of the primary system of State Highways, a road leading from Ebenezer Church in Muhlenberg County to Beech Creek Junction, Kentucky, and designating same as State Project No.—.

To Committee on Roads and Highways No. 3.

By same:

H. B. 146. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways, a road leading from Graham, Kentucky, to Earls, Kentucky, and designating same as State Project —.

To Committee on Roads and Highways No. 3.

By same:

H. B. 147. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Drakesboro, Kentucky, to Echols, Kentucky, by way of Paradise, Kentucky, and designating same as Project —.

To Committee on Roads and Highways No. 3.

By Mr. McRohan:

H. B. 148. An Act relating to roads, bridges and highways.

To Committee on Roads and Highways No. 3.

By Mr. Benton:

H. B. 149. An Act establishing as a part of the Primary System of State Highways a road leading from Rochester, Kentucky, to Livermore, Kentucky, by way of Echols, Kentucky, and Centertown, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Hobbs:

H. B. 150. An Act prohibiting the teaching of the evolution theory in all the universities, normals and all public schools of Kentucky, which are supported in whole or in part by the public school funds of the State, and to prohibit the hiring of such teachers, and to provide penalties for the violations thereof.

To Committee on Education No. 1.

By Mr. Doss:

H. B. 151. An Act establishing and making the road leading from Highway No. 60 in Simpsonville, Shelby County, Kentucky, via the Simpsonville and Antioch road to Eminence, Henry County, Kentucky, a part of the primary system of State Highways of the Commonwealth of Kentucky and designating said road as Project —.

To Committee on Roads and Highways No. 3.

By Mr. Vincent:

H. B. 152. An Act providing for the taking of the sense of the people of the State as to the necessity and expediency

of calling a convention for the purpose of revising or amending the Constitution of the Commonwealth, and such amendments as may have been provided by Section 258 of the present Constitution of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Hardesty:

H. B. 153. An Act authorizing the counties of this Commonwealth to own, construct, purchase and operate bridges over or tunnels under the streams or rivers within this commonwealth or bordering thereon, and providing for the issuance, sale and retirement of bonds for the said purpose; and providing for county boards of bridge commissioners, and defining their powers and duties; and for the maintenance, control, operation and disposition of such bridges or tunnels.

To Committee on Public Bridges and Ferries.

By Mr. Hagan:

H. Res. 2. Resolution authorizing A. J. Bush to sue the Commonwealth of Kentucky.

To Committee on Claims.

By Mr. J. G. B. Hall:

H. Res. 3. Resolution directing the State Geologist forthwith to make survey, investigation, and analysis in Lyon County and adjoining counties or in Franklin County and adjoining counties, on the vicinities of the State prisons, to ascertain whether limestone and clay suitable for manufacturing Portland cement are contained therein, etc.

To Committee on Roads and Highways No. 1.

Mr. Meyers moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 17, 1928.

The House was opened with prayer by the Reverend J. Howard Gibbons of the Protestant Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	W. M. Duncan	Phillip Helf
A. L. Allen	Thos. J. Dunn	J. R. Hobbs
S. E. Anderson	D. E. Edwards	J. S. Hollan
W. B. Ardery	J. W. Edwards	H. B. Holland
W. O. Bach	J. O. Evans	S. K. Holland
Walter J. Bailey	Virgil Eversole	Ira L. Horn
A. J. Baldridge	Chas. H. Fair	Robt. L. Horn
W. O. Baxter	W. J. Fisher	Josephus Howard
T. H. Benton	J. C. Flener	W. F. Hunter
W. P. Bowman	Duke W. Fowler	Lester Jeter
Thos. L. Britton	Chas. B. Fulton	T. M. Johnson
W. G. Buckner	J. B. Furlong	John C. Kemper
S. J. Bunger	F. A. Gnau	John B. Klefot
Sam P. Burnam	R. C. Graham	Porter J. Land
E. L. Campbell	W. T. Green	S. D. Laughlin
J. G. Campbell	E. L. Hagan	Leon P. Lewis
Chas. B. Carver	A. L. Hall	Wm. McClave
Harry Cochran	John G. B. Hall	J. L. McKnight
John Cooper	T. W. Hardesty, Jr.	Wm. McRohan
J. O. Creech	Herman Handmaker	Clark Macdonald
C. B. Crossland	Brooks L. Hargrove	C. C. May
J. R. Dorman	C. W. Hawkins	Henry Meiman
E. J. Doss	Joseph M. Hayse	Luther Morse

Harry J. Meyers	B. A. Robertson	Mac Swinford
E. B. Miller	C. W. Ryans	J. B. Taylor
L. P. Murphy	Vernon Shuffett	E. G. Thomas
James H. Muse	Charles Smith	C. F. Thornton
L. C. Nell	Daniel Boone Smith	P. H. Vincent
Andrew Nichols	S. G. Smith	J. C. Watkins
J. H. Payne	M. E. Sparks	L. M. Weathers
Levi W. Powell	Dan Stamper	J. A. White
J. G. Prather	Frank L. Strange	
W. H. Pryor	J. G. Swearingen	

Mr. Robertson moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Ryans moved that a leave of absence be granted to Mr. Manning.

Said motion was agreed to.

Mr. Crossland offered the following resolution, viz.:

Be it Resolved by the House of Representatives, the Senate concurring therein, that the Senate and House of Representatives meet in Joint Session on Wednesday, January 25, 1928, at 11 o'clock, A. M. for the purpose of electing a State Librarian to succeed the present incumbent, Mrs. J. Campbell Cantrill, whose term of office will expire on the first Monday in June, 1928.

Said resolution was adopted.

Mr. Helf offered the following resolution, viz.:

Whereas, there are numerous complaints and much evidence of the Ohio River being polluted and poisoned with phenol; and,

Whereas, our lives and the lives of our families, especially young children, are in constant danger of death and sickness; therefore, be it

Resolved, That this resolution be forwarded to our Representatives and Senators in the City of Washington, D. C., asking them to use every honorable means to give us immediate relief and stop further death and sickness to our communities situated along the Ohio River.

Said resolution was adopted.

Upon a call of the counties and Legislative Districts, the following bills and Joint Resolutions were introduced, ordered printed and referred as follows, viz.:

By Mr. Horn:

H. B. 154. An Act to establish State Primary Road Project No.—, beginning at Greenwood in Warren County, thence with the old Scottsville road via Dranke, Boyce, Trammel to Scottsville in Warren and Allen Counties.

To Committee on Roads and Highways No. 3.

By Mr. Duncan:

H. B. 155. An Act relating to roads and bridges amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as Project No.— a State Aid inter-county seat road from Taylorsville, Spencer county, Kentucky, to Lawrenceburg, Anderson County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Payne:

H. B. 156. An Act to amend and re-enact Sections 1954c-9, 1954c-10, 1954c-23 Kentucky Statutes, Carroll's 1922 Edition, and Section 1954c-25, Kentucky Statutes, Carroll's Edition, as amended by Chapter 93 of the Acts of 1926, providing penalties for trespass on game preserves, increasing the percentage of the game and fish protection fund which may be expended each year for conducting fish hatcheries and game preserves, providing that conviction for violation of the game and fish law shall forfeit the license held by the person convicted and suspend such person from securing a license for one year, and reducing the amount of non-resident hunter's license to Ten Dollars and fifty cents (\$10.50).

To Committee on Fish and Game.

My Mr. Thornton:

H. B. 157. An Act relating to roads and bridges and establishing as a part of the primary system of State highways a road leading from Walton via Beaver to Bigbone in Boone County, Kentucky, and designating same as State Project No. 5A-2.

To Committee on Roads and Highways No. 3.

By Mr. Fulton:

H. B. 158. An Act to amend Section 3747a-1 Carroll's Kentucky Statutes, approved March 15, 1926, relating to the publication of official reports of public officials in newspapers, and prescribing penalties, excepting cities of the first class.

To Committee on Kentucky Statutes.

By same:

H. B. 159. An Act to amend an Act entitled "An Act relating to the rates of newspaper advertising" approved March 24, 1922, being Section 14a-3 Carroll's Kentucky Statutes, 1922 Edition.

To Committee on Kentucky Statutes.

By Mr. Fair:

H. B. 160. An Act to establish a new State Primary road leading from Jacktown, Casey County, Kentucky, by the way of Chilton, Ellisburg, to Hustonville, Lincoln County, Kentucky.

To Committee on Roads and Highways No. 3

By same:

H. B. 161. An Act to establish a new State Primary road leading from Liberty, Casey County, Kentucky, by the way of Dry Ridge, Lawhorn Hill, and Trace Fork Pike to Yosemite, Casey County, Kentucky, and to be known as "The Rains Trail."

To Committee on Roads and Highways No. 3.

By Mr. Powell:

H. B. 162. An Act relating to roads and bridges, and amending Chapter 191, Acts of General Assembly, 1924, by striking therefrom the limitations, regarding time of construction placed upon Project No. 83.

To Committee on Roads and Highways No. 3.

By same:

H. B. 163. An Act relating to general elections and amending Chapter 1482a, Kentucky Statutes, by striking therefrom the words "to burn and destroy unused ballots."

To Committee on Suffrage and Elections.

By Mr. Daniels:

H. B. 164. An Act to establish a new State Primary Road project.

To Committee on Roads and Highways No. 3.

By same:

H. B. 165. An Act to establish a new State Primary Road project.

To Committee on Roads and Highways No. 3.

By same:

H. B. 166. An Act to establish a new State Primary Road project.

To Committee on Roads and Highways No. 3.

By Mr. Swinford.

H. B. 167. An Act requiring that before a deed to real estate is lodged for record an affidavit shall be filed with the Clerk of the County Court showing the name and place of residence of the ancestor from whom the land was inherited.

To Committee on Kentucky Statutes.

By Mr. Prather:

H. B. 168. An Act requiring that all teachers in public schools shall keep daily a record of hours of actual service, filing same with supervising officer to become records of boards of education; and that the State Department of Education shall provide blanks for said records; and that employing boards shall pay salaries in accordance with hours of actual service indicated in such report.

To Committee on Education No. 1.

By Mr. Hall:

H. B. 169. An Act creating and establishing as a part of the State Primary System of Public Roads the road leading from Jewel City to Madisonville in Hopkins County.

To Committee on Roads and Highways No. 3.

By same:

H. B. 170. An Act creating and establishing as a part of the State Primary System of roads, the road leading from Hanner's bridge over Pond River in Hopkins County to Princeton in Caldwell County.

To Committee on Roads and Highways No. 3.

By Mr. Gnau:

H. B. 171. An Act relating to the management, operation and ratemaking for waterworks in cities of the first class and providing for the installation of water meters in private residences, apartment houses, and flats, and for the prevention of consolidation, merger or sale of such waterworks in such cities.

To Committee on Cities of the 1st Class.

By Mr. Handmaker:

H. B. 172. An Act regulating the placing of advertisement of printed matter on roads and providing for penalties for the violation of this Act.

To Committee on Roads and Highways No. 1.

By Mr. Lewis:

H. B. 173. An Act for the benefit of the Kentucky School for the Blind, and making appropriations therefor.

To Committee on Appropriations No. 1.

By Mr. Ryans:

H. B. 174. An Act to amend and re-enact Sections 3, 4 and 8 of an Act entitled "Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33 of an Act entitled 'An Act to amend an Act for the Government of cities of the first class,' approved July 1, 1893, for the better government, administration and discipline of the fire department and to create and perpetuate a pension fund for disabled firemen, their widows and children and dependent fathers and mothers and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after a service of a term of years," approved March 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning under certain conditions, firemen in cities of the first class, approved March 18, 1912, said Act, when so amended and re-enacted to provide more adequately for firemen and their dependents and provide money therefor. Said sections here-

inabove amended are known as Sections 2896a-17 and 2896a-22 Carroll's Kentucky Statutes 1922.

To Committee on Cities of 1st Class.

By Mr. Dorman:

H. B. 175. An Act relating to the Fiscal administration of cities of the Fourth Class; providing for a uniform budget system in each city of the fourth class of the Commonwealth of Kentucky, for the administration of the fiscal affairs of said cities; prescribing the duties of the Mayor, City Attorney, City Clerk, City Treasurer, and other officers with reference thereto; creating City Budget Commisison, and prescribing its duties; amending Section 3555, Kentucky Statutes, 1915, Carroll's Edition.

To Committee on Cities of 4th Class.

By same:

H. B. 176. An Act exempting all citizens and residents of the State of Kentucky over the age of 70 years from the payment of poll tax for any purpose whatever.

To Committee on Kentucky Statutes.

By Mr. Nichols:

H. B. 177. An Act establishing a road leading from Project No. 62 at Loretto, Marion county, Kentucky, to and intersecting with Project No. 46 at Shepherdsville, Bullitt County, Kentucky, by way of Smock's Chapel, the west side of Rohan's Knob, Mahoney's Store, along what is known as the Gilkey Run pike, Greenwell's Ford, Bardstown, Samuels,

Deatsville and Cedar Grove, and to be designated as Project 62-A of the primary system of State Highways.

To Committee on Roads and Highways No. 2.

By same:

H. B. 178. An Act to create and to authorize the purchasing, acquiring and maintaining of a State School Text Book Printery and Bindery, and providing for the operation thereof, the employment of an editor and publisher of school text books for the use of the Common Schools of this Commonwealth, and for the purchasing and acquiring copyrights and manuscripts of uncopyrighted school text books for the use of such schools of this Commonwealth, and prescribing the duties of the State Purchasing Commission and of the State Text Book Commisison relating thereto, and authorizing the Kentucky Educational Association to participate in the selection of School text books and in the selection of Editor and Publisher of State School Text Books, and making it unlawful for any person connected with or employed in relation to the printing, binding, editing and publishing School Text Books under this Act, directly or indirectly to participate in politics, and prescribing penalty therefor, and providing for their removal.

To Committee on Education No. 2.

By Mr. McKnight:

H. B. 179. An Act to establish State Primary Road Project No.— from Mt. Vernon, in Rockcastle County, Kentucky, via Brush Creek and Upbrush Creek, to Hardin Moore's Store, in Rockcastle County, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. J. A. White:

H. B. 180. An Act prohibiting unlawful and malicious demand for money, or goods or other things of value, by menace, force, violence or threat of violence, or blackmail or threat of blackmail, and fixing the penalty therefor.

To Committee on Criminal Law.

By Mr. Strange:

H. B. 181. An Act to establish State Primary Road Project No. — from Bowling Green in Warren County, Kentucky, to Woodbury in Butler County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. T. M. Johnson:

H. B. 182. An Act to establish State Primary Road Project No. — beginning at Meadow's Farm about five miles northeast of Bowling Green on State Project No. 11, thence via old Glasgow road to intersect with State Project No. 1 one mile east of Smith's Grove.

To Committee on Roads and Highways No. 2.

By same:

H. B. 183. An Act to establish State Primary Road Project No. — from a point in U. S. Highway No. 31 in Warren County, Kentucky, via of Oakland to point in the old Bowling Green-Glasgow road approximately 2½ miles.

To Committee on Roads and Highways No. 2.

By same:

H. B. 184. An Act to establish State Primary Road Project No. — from Greenwood on State Project No. 37 via Woodburn County Farm, McDavid Farm, to State Project No. 1 near Simpson County line, thence via State Project No. 1 to Proctor Mill road, via Browning and Gaines Hill to the Logan County line.

To Committee on Roads and Highways No. 2.

By same:

H. B. 185. An Act to establish State Primary Road Project No. — from a point near Richmond on Project No. 15 via Rockfield, via Newcut road, point in Proctor's Mill Road via Browning, via Galloway's Mill to the Butler County line near Cave Hill.

To Committee on Roads and Highways No. 2.

By Mr. S. K. Holland:

H. B. 186. An Act to give relief to the Court of Appeals by giving it authority to appoint four commissioners of said court, prescribing their qualifications, and term of office, their method of selection, their salary and for clerical assistance.

To Committee on Court of Appeals.

The Contest Board, heretofore selected by this House, in accordance with the provisions of the Constitution and Statutes of this Commonwealth, to hear the contest and to determine the right to a seat in this House from the Thirtieth Legislative District composed of the counties of Green and Hart, in the case of A. M. Mercer, Contestant, vs. Vernon Shuffett Contestee, offered the following report, viz.:

REPORT OF CONTEST COMMITTEE.

Your Committee to investigate the contest brought by A. M. Mercer against Vernon Shuffett for the legislative seat of the Thirtieth District, composed of the Counties of Green and Hart, being duly drawn by lot, according to law within three days after the first assembling of the House for the 1928 Session, appeared before the bar of the House and members were duly sworn by the Speaker, the Honorable John Milliken.

Now, your Committee, after carefully considering both the facts and the law in this contest, as presented by the pleadings and proof filed with the Chief Clerk of the House, Mr. Howes, as well as the oral arguments presented by the attorneys for both contestee and contestant, ask leave to submit the following report:

Your Contest Committee finds that the Contestee, Vernon Shuffett, at the time of the election, November 8, 1927, was the Circuit Court Clerk of Green County; that said Contestee, Vernon Shuffett, did not resign his office as Circuit Court Clerk either before or after he was given the certificate of election as Representative from the Thirtieth District, composed of the counties of Green and Hart, and that at the time he received such certificate of election he was then holding office under the State Government, within the meaning of the Statute.

Your Contest Committee further finds that the said Contestee had not obtained a quietus for the public moneys he had collected for the Commonwealth, either six months before the election, as provided in Sec. 45 of the Constitution of Kentucky, or during any other period.

For the above reasons your Contest Committee finds that the Contestee, Vernon Shuffett, was ineligible to be elected to the office of Representative, and that all of the votes cast for the said Contestee were void, as provided by the Statute.

Your Contest Committee further finds the Contestant, A. M. Mercer, was the only candidate before the November elec-

tion eligible to election to the office of Representative of the Thirtieth Legislative District, that the votes cast for the said A. M. Mercer were valid, and that he is entitled to the seat in the House of Representatives from the Counties of Green and Hart; also, that the said A. M. Mercer should receive the actual and necessary expenses of his contest, as prayed for in his petition.

Submitted to the Honorable members of the Kentucky House of Representatives this 17th day of January, 1928.

Jesse O. Creech,
Levi W. Powell,
E. L. Hagan,
D. E. Edwards,
J. R. Hobbs,
H. B. Holland,
W. B. Ardery.

Mr. Meyers moved that the report of said committee be adopted.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Meyers and Hayse, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. R. Dorman	F. A. Gnau
W. B. Ardery	E. J. Doss	R. C. Graham
W. O. Bach	W. M. Duncan	E. L. Hagan
Walter J. Bailey	Thos. J. Dunn	A. L. Hall
W. O. Baxter	D. E. Edwards	John G. B. Hall
W. G. Buckner	J. W. Edwards	Brooks L. Hargrove
S. J. Bunger	J. O. Evans	C. W. Hawkins
Chas. B. Carver	W. J. Fisher	J. R. Hobbs
Harry Cochran	Duke W. Fowler	J. S. Hollan
J. O. Creech	Chas. B. Fulton	H. B. Holland
C. B. Crossland	J. B. Furlong	S. K. Holland

Robt. L. Horn	Wm. McRohan	J. G. Prather
Josephus Howard	C. C. May	B. A. Robertson
Lester Jeter	Henry Meiman	Charles Smith
T. M. Johnson	Harry J. Meyers	M. E. Sparks
John C. Kemper	E. B. Miller	Frank L. Strange
John B. Klefot	L. P. Murphy	Mac Swinford
Porter J. Land	Andrew Nichols	C. F. Thornton
S. D. Laughlin	J. H. Payne	P. H. Vincent
Leon P. Lewis	Levi W. Powell	J. C. Watkins

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Those who voted in the negative were—

A. L. Allen	J. C. Flener	James H. Muse
S. E. Anderson	W. T. Green	L. C. Nell
A. J. Baldridge	T. W. Hardesty, Jr.	W. H. Pryor
T. H. Benton	Herman Handmaker	C. W. Ryans
W. P. Bowman	Joseph M. Hayse	Daniel Boone Smith
Thos. L. Britton	Phillip Helf	Dan Stamper
Sam P. Burnam	Ira L. Horn	J. G. Swearingen
E. L. Campbell	W. F. Hunter	J. B. Taylor
J. G. Campbell	Wm. McClave	E. G. Thomas
John Cooper	J. L. McKnight	J. A. White
Virgil Eversole	Clark Macdonald	
Chas. H. Fair	Luther Morse	

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Thereupon the Speaker declared the said A. M. Mercer duly and regularly a member of this House from the Thirtieth Legislative District of the Commonwealth of Kentucky composed of the counties of Green and Hart, and after taking the oath of office as required by the Constitution and Statutes of the Commonwealth, entitled to all of the rights and privileges of this House.

Mr. Hayse moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, JANUARY 18, 1928.

The House was opened with prayer by the Reverend C. E. Lemon of the Christian Church of St. Louis, Missouri.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Duke W. Fowler	Wm. McRohan
A. L. Allen	Chas. B. Fulton	Clark Macdonald
S. E. Anderson	J. B. Furlong	Luther Morse
W. B. Ardery	F. A. Gnau	C. C. May
W. O. Bach	R. C. Graham	Henry Meiman
Walter J. Bailey	W. T. Green	Harry J. Meyers
A. J. Baldridge	E. L. Hagan	E. B. Miller
W. O. Baxter	A. L. Hall	L. P. Murphy
T. H. Benton	John G. B. Hall	James H. Muse
W. P. Bowman	T. W. Hardesty, Jr.	L. C. Nell
Thos. L. Britton	Herman Handmaker	Andrew Nichols
W. G. Buckner	Brooks L. Hargrove	J. H. Payne
S. J. Bungler	C. W. Hawkins	Levi W. Powell
Sam P. Burnam	Joseph M. Hayse	J. G. Prather
E. L. Campbell	Phillip Helf	W. H. Pryor
J. G. Campbell	J. R. Hobbs	B. A. Robertson
Chas. B. Carver	J. S. Hollan	C. W. Ryans
Harry Cochran	H. B. Holland	Charles Smith
John Cooper	S. K. Holland	Daniel Boone Smith
J. O. Creech	Ira L. Horn	S. G. Smith
C. B. Crossland	Robt. L. Horn	M. E. Sparks
J. R. Dorman	Josephus Howard	Dan Stamper
E. J. Doss	W. F. Hunter	Frank L. Strange
W. M. Duncan	Lester Jeter	J. G. Swearingen
Thos. J. Dunn	T. M. Johnson	Mac Swinford
D. E. Edwards	John C. Kemper	J. B. Taylor
J. W. Edwards	John B. Klefot	E. G. Thomas
J. O. Evans	Porter J. Land	C. F. Thornton
Virgil Eversole	S. D. Laughlin	P. H. Vincent
Chas. H. Fair	Leon P. Lewis	J. C. Watkins
W. J. Fisher	Wm. McClave	J. A. White
J. C. Flener	J. L. McKnight	

Mr. Robertson moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Fair moved that an indefinite leave of absence be granted to Mr. Weathers.

Said motion was agreed to.

Mr. Hobbs moved that the privileges of the floor be extended to the Hon. B. F. Day, former member of this House.

Said motion was agreed to.

Mr. Meyers offered the following communication from G. P. Russell, President of the Kentucky State Industrial College, viz.:

The Honorable Speaker
and Members of the House of Representatives,
State Capitol, Frankfort, Kentucky.

Honorable Sirs:

You are hereby most respectfully invited to take dinner in the Domestic Science Department of Kentucky State Industrial College for Colored Persons, Frankfort, Kentucky, Tuesday evening, January 24, at 5:30.

Most respectfully yours,

G. P. Russell, President.

Mr. Holland offered the following invitation, viz.:

On Thursday afternoon from three until five the United Daughters of the Confederacy are entertaining at the Women's Club and all sons, wives and daughters of Con-

federate soldiers are extended an invitation to be present. We respectfully request those who attend, if possible, to give their names to the Clerk of the House.

Mr. Prather offered the following resolution, viz.:

Be it Resolved by the House of Representatives of the General Assembly of Kentucky, That the Attorney General be requested to furnish to the members of this body on January 23, a list of the lobbyists registered in his office, together with the interests they represent; That

Such additions to the ranks of lobbyists as shall register from time to time shall be reported on each following Monday.

Said Resolution was adopted.

Mr. Meyers moved that a Committee of three members be appointed by the Speaker to escort the Hon. A. M. Mercer, newly elected member of this House from the Counties of Green and Hart, to the bar of this House for the purpose of taking the oath of office as prescribed by the Constitution and Statutes of this Commonwealth.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Meyers, Nichols and Strange as members constituting said Committee.

After a time said Committee escorted the said Representative, the Hon. A. M. Mercer, to the bar of the House where he took the oath of office as prescribed by the Constitution and Statutes of this Commonwealth.

Mr. Meyers moved that when this House adjourn today, it be to meet on next Friday, January 20, at ten o'clock A. M.

Said motion was agreed to.

Mr. Meyers offered the following resolution, viz.:

A resolution providing for the payment of expenses of contestant and contestee in the matter of Mercer v. Shuffett, pending and decided in the House of Representatives of the Commonwealth of Kentucky.

WHEREAS, A. M. Mercer of Green County, Kentucky, instituted and conducted a contest against Hon. Vernon Shuffett for the office of representative of and from the Thirtieth Legislative District of Kentucky before the House of Representatives of Kentucky, which contest was heard on the seventeenth of January, 1928, and decided in favor of contestant, and,

WHEREAS, it appears that in instituting, prosecuting, contesting and defending said seat in the House of Representatives, both parties have incurred expenses which were necessary thereto, and that said expenses are shown in the following sums which have been expended by the parties to said contest, to-wit: A. M. Mercer, witness fees, expenses and stenographer's fees, \$32.50, attorney's fees, Chas. F. Creal and others, \$400.00, a total of \$432.50. Vernon Shuffett witness fees, expenses and stenographer's fees, \$32.50, attorney's fees, T. B. McGregor and others \$250.00, a total of \$282.50, and it appearing that said expenses, charges and attorney's fees are reasonable, and that all should be promptly paid as a contingent expense of the House of Representatives.

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

Section 1. That all of said expenses, fees and charges as above set out be and the same are now approved and allowed.

That said accounts be certified by the Clerk and presiding officer of the House of Representatives to the Auditor of Public Accounts for payment, and upon being so certified the Auditor will draw a warrant against the Treasurer in the sum

of \$432.50 payable to A. M. Mercer or his attorney, and likewise a warrant payable to Vernon Shuffett or his attorneys in the sum of \$282.50.

Mr. Prather offered the following Amendment to said resolution, viz.:

Amend the resolution as offered by Mr. Meyers by striking out the figures "\$400.00" and "\$250.00" wherever they appear in said resolution and substituting therefor the figures "\$200.00" and "\$125.00" respectively.

Mr. H. B. Holland offered the following Amendment to said Amendment, viz.:

Amend the Amendment as offered by Mr. Prather by striking out the figures "\$200.00" and "\$125.00" wherever they appear in said Amendment and inserting in lieu thereof the figures "\$200.00."

Mr. Ardery moved that said resolution and amendments thereto lie on the Clerk's desk.

Said motion was agreed to.

Upon a call of the counties and Legislative Districts, the following bills and joint resolutions were introduced, ordered printed and referred as follows, viz.:

By Mr. Bailey:

H. B. 187. An Act to repeal and re-enact sections 6, 9 and 15 of an act to repeal and re-enact an act, granting pensions to indigent Confederate soldiers, etc.

To Committee on Confederate Home.

By Mr. Ardery:

H. B. 188. An Act for the establishment and maintenance to each of the State Hospitals for the Insane in the State of Kentucky a training school for psychiatric nursing for attendants, prescribing the course of study to be required in said school, the method of appointments of attendants, the qualifications required of such attendants, fixing the salaries of such attendants and for the employment of a supervisor of such training school and the qualifications required of such supervisor, prescribing the duties of such supervisor and fixing the salary for such position.

To Committee on Charitable and Penal Institutions.

By Mr. Britton:

H. B. 189. An Act relating to roads and highways, describing and fixing the project to be added to the Primary System of Roads and Highways.

To Committee on Roads and Highways No. 2.

By Mr. S. G. Smith:

H. B. 190. An Act to prohibit the running at large of cattle or any species thereof in any voting precinct, magisterial district or county, the rights of way embraced in the State Primary Highway System while roads are under construction or reconstruction on such rights-of-way in any voting precinct, etc., and to repeal Sections 4646, 4647, 4648, 4649, 4650 and 4651, Carroll's Kentucky Statutes, and section 4649a Baldwin's 1926 Supplement to Kentucky Statutes, and all laws in conflict with this act, and providing for the violation of this act and declaring an emergency.

To Committee on Roads and Highways No. 1.

By Mr. Land:

H. B. 191. An Act to amend and re-enact Section 73 of Carroll's Civil Code of Practice by providing that if the action be brought by personal representative the residence of the decedents and not that of the personal representatives shall control.

To Committee on Kentucky Statutes.

By Mr. Green:

H. B. 192. An Act to repeal, amend and re-enact Section 4356-o of the Kentucky Statutes, Carroll's Edition 1922, regulating the power and authority of fiscal courts requiring male citizens to work on county roads.

By Mr. Hargrove:

H. B. 193. An Act to amend Kentucky Statutes, Section 4356t-5, relating to the Primary System of State Highways.

To Committee on Roads and Highways No. 2.

By Mr. G. B. Hall:

H. B. 194. An Act making streets and roads in towns and cities of the Sixth class, in certain cases, a part of the State Primary System and so built and maintained.

To Committee on Roads and Highways No. 1.

By Mr. Fowler:

H. B. 195. An Act relating to roads and bridges.

To Committee on Roads and Highways No. 3.

By Mr. Klefot:

H. B. 196. An Act to require the use of a suction or exhaust system upon polishing and grinding machinery to safeguard the health of workers, providing for enforcement and violation of this act.

To Committee on Public Health.

By Mr. Handmaker:

H. B. 197. An Act making it a crime to kidnap, decoy or entice away or to harbor a child under sixteen years of age and prescribing penalties for the violation of this Act.

To Committee on Criminal Law.

By same:

H. B. 198. An Act to amend Section 3 of Chapter 11, page 31 of the Acts of the General Assembly 1918 entitled "An Act to abolish the assessor's office etc."

To Committee on Revenue and Taxation No. 1.

By same:

H. B. 199. An Act to amend Section 3 of Chapter 11, page 31 of the Acts of the General Assembly of 1918, entitled "An Act to abolish Assessors office, etc."

To Committee on Revenue and Taxation No. 1.

By same:

H. B. 200. An Act to amend Section 3 of Chapter 11, page 31 of the Acts of the General Assembly 1918, entitled "An Act to abolish the Assessor's office, etc."

To Committee on Revenue and Taxation No. 1.

By Mr. Dorman:

H. B. 201. An Act relating to the Primary road System of Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 202. An Act relating to the Primary System of Roads in Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 203. An Act relating to the Primary System of roads in Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 204. An Act relating to the Primary System of roads in Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Dunn:

H. B. 205. An Act to amend an Act creating the office of District Detective to the Commonwealth's Attorney in counties containing cities of the second class in which there is located Circuit Courts of continuous session.

To Committee on Cities of 2nd and 3rd Class.

By Mr. Meiman:

H. B. 206. An Act to amend Section 861 of the Kentucky Statutes, relating to the power of Building Association to borrow.

To Committee on Banks and Banking.

By Mr. Meyers:

H. B. 207. An Act to amend Section 3 of Chapter 4 of the Acts of 1892, approved April 2, 1892, said Section being Section 33 of Kentucky Statutes (Carroll's Edition, 1915) further defining the duties of the Commissioner of Agriculture, labor and statistics.

To Committee on Agriculture.

By Mr. H. B. Holland.

H. B. 208. An Act to amend Section 582 of Carroll's Kentucky Statutes, by striking therefrom the word "five" before the word "years" and inserting in lieu thereof the word "ten."

To Committee on Banks and Banking.

By Mr. Buckner:

H. B. 209. An Act to establish and create Project — as a part of the Primary System of Roads and Highways of the State of Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 210. An Act to establish and create Project — as a part of the Primary System of Roads and Highways of the State of Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Crossland:

H. B. 211. An Act to require all steam and electric railroad companies operating lines in or through the State of Kentucky, to provide and equip all main line switches, and derails in adjacent tracks to the main line, with suitable switch lights or lamps, indicating the position of such switches and derails, as a safety measure and providing penalties for violation thereof.

To Committee on Railroads.

By same:

H. B. 212. An Act relating to the fiscal administration of counties; providing for a uniform budget system in each county of the Commonwealth of Kentucky, for the administration of the fiscal affairs of counties; prescribing the duties of the county judge, county court clerk, county treasurer, county attorney, and other officers with reference thereto; creating a county budget commission, and prescribing its duties; amending sections 929, 934, of Kentucky Statutes, 1915, Carroll's Edition as amended by Section 929 and 934 of Chapter 153 of Acts of 1920, Session of the General Assembly of the Commonwealth of Kentucky, 135, 1938, Kentucky Statutes, 1915, Carroll's Edition; and repealing section 938, Kentucky Statutes 1915, Carroll's Edition and Section 1840A Kentucky Statutes, 1915, Carroll's Edition; as amended by Section 67 of Acts of 1916, Session of General Assembly of Commonwealth of Kentucky, providing for the compensation of county treasurer, and the designating by the

fiscal court of depositories for county funds and the fixing of interest rates to be charged by the county; and providing for penalties for the violation of any of the provisions of this Act.

To Committee on County and City Courts.

By Mr. Bunger:

H. B. 213. An Act relating to roads and bridges and establishing and creating a road Project — extending from a point on Project No. 8 at or near Nick Mills in Meade County to a point on Project 198 between Tom Hobbs' place and the Hall School house in Meade County as a State Primary Road.

To Committee on Roads and Highways No. 3.

By same:

H. B. 214. An Act relating to roads and bridges and establishing and creating a road project No. — extending from Brandenburg in Meade County to a point on Project No. 8A in Meade County, near Spinks' place, as a State Primary Road.

To Committee on Roads and Highways No. 3.

By Mr. White:

H. B. 215. An Act establishing State Primary Road Project — from Wisdom, Metcalfe County, Kentucky by way of Randolph to a point in the Burkesville-Glasgow road approximately 7 miles.

To Committee on Roads and Highways No. 3.

By Mr. Doss:

H. B. 216. An Act to repeal Section 2554a-10 Kentucky Statutes, Baldwin's 1926 Supplement to Carroll's 1922 Edition being Section 10 of Chapter 33 of the Acts of the General Assembly of 1922, relating to fines and jail sentences.

To Committee on Kentucky Statutes.

By Mr. Milliken:

H. B. 217. An Act establishing a road from Franklin, in Simpson County, Kentucky, to the Tennessee State line, near the town of Rapid over the route known as the Franklin & Gallatin road, as a State Primary Road, and designating said project as Project No. —.

To Committee on Roads and Highways No. 2.

By same:

H. B. 218. An Act establishing a road from Franklin, in Simpson County, Kentucky to South Union in Warren County, Kentucky at the Simpson County line, over the route known as the Franklin & Morgantown road, as a State Primary Road, and designating said project as Project —.

To Committee on Roads and Highways No. 2.

By Mr. S. K. Holland:

H. B. 219. An Act to amend Section 1954, subsection 1954b-8, Kentucky Statutes, Carroll's Edition, 1922, regulating trapping and protection of furbearing animals. Section 1954b-8 trapping on lands of another without latter's written

consent, forbidden; regulation of license; penalty for violators.

To Committee on Fish and Game.

The Committees to which same had been referred, reported bills of the following titles, viz.:

By Mr. Buckner of the Committee on Confederate Home:

H. B. 72. An Act to amend Section 415b-6 Kentucky Statutes, Carroll's 1922 Edition, which same relates to confederate soldiers' pensions.

By Mr. May of the Committee on Banks and Banking:

H. B. 40. An Act to regulate the business of Brokers and prescribing penalties for the violation of this Act.

With an Amendment thereto.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Gnau moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, JANUARY 20, 1928.

The House was opened with prayer by the Reverend V. P. Merrill of the Presbyterian Church, South, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Duke W. Fowler	Wm. McRohan
A. L. Allen	Chas. B. Fulton	Clark Macdonald
S. E. Anderson	J. B. Furlong	Luther Morse
W. O. Bach	F. A. Gnau	C. C. May
Walter J. Bailey	R. C. Graham	Harry J. Meyers
A. J. Baldridge	W. T. Green	E. B. Miller
W. O. Baxter	E. L. Hagan	L. P. Murphy
T. H. Benton	A. L. Hall	James H. Muse
Thos. L. Britton	John G. B. Hall	Andrew Nichols
S. J. Bunger	T. W. Hardesty, Jr.	J. H. Payne
Sam P. Burnam	Herman Handmaker	Levi W. Powell
E. L. Campbell	Brooks L. Hargrove	J. G. Prather
J. G. Campbell	C. W. Hawkins	W. H. Pryor
Chas. B. Carver	J. R. Hobbs	B. A. Robertson
Harry Cochran	H. B. Holland	C. W. Ryans
John Cooper	S. K. Holland	Charles Smith
J. O. Creech	Ira L. Horn	Daniel Boone Smith
C. B. Crossland	Josephus Howard	S. G. Smith
J. R. Dorman	W. F. Hunter	M. E. Sparks
E. J. Doss	Lester Jeter	Frank L. Strange
W. M. Duncan	T. M. Johnson	J. G. Swearingen
D. E. Edwards	John C. Kemper	Mac Swinford
J. W. Edwards	John B. Klefot	J. B. Taylor
Virgil Eversole	Porter J. Land	C. F. Thornton
Chas. H. Fair	Leon P. Lewis	J. C. Watkins
W. J. Fisher	Wm. McClave	L. M. Weathers
J. C. Flener	J. L. McKnight	J. A. White

Mr. Meyers moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Meyers moved that an indefinite leave of absence be granted to all absentees today.

Said motion was agreed to.

Mr. Nichols moved that the privileges of the floor be extended to the Hon. Ben Johnson.

Said motion was agreed to.

Mr. Eversole offered the following resolution, viz.:

Whereas, a distinguished member of this House of Representatives has stated that he is seriously considering the announcement of his candidacy for the Republican nomination for the office of Congressman from the Fifth District of the State of Kentucky; and,

Whereas, the Honorable Chas. W. Ryans, of the City of Louisville, in his deliberations in this body has shown himself to be a man of justice, ability and discernment, meriting always the respect of his fellow members of this Assembly; therefore be it

Resolved, That this body go upon record as commending these qualifications.

Said resolution was adopted.

Mr. McClave offered the following resolution, viz.:

Whereas, many new members of the House of Representatives experience great difficulty in finding their way in and out of the Capitol building because of the multitude of halls, passages and corridors; and,

Whereas, much time is lost by the Honorable members of this body in wandering through the various endless passages of this great building; and,

Whereas, one of the distinguished members of this august assembly was lost for more than an hour vainly seeking an exit from the building and suffered great humiliation because of the fact that it was necessary for a fellow member to lead him to a point where he could make his escape from a great building that had virtually held him a prisoner; therefore, be it

Resolved, That the Speaker of this House appoint a committee of five members whose duty it shall be to place necessary placards, markers, etc., to the end that a plain trail may be blazed from the front entrance to the House Chamber in order that the serious inconvenience and humiliating experiences of the past may not be repeated. Be it further

Resolved, That an emergency is declared to exist and that it shall be the duty of the Speaker to appoint this Committee and put them to work immediately.

WM. McCLAVE, *Carter County*.
Representative Eighty-seventh Dist.

Said resolution was adopted.

A message was received from the Senate announcing that they had concurred in a resolution which originated in this body pertaining to a Joint Committee of the General Assembly to make an investigation and report of the Covington and Cincinnati Bridge Company.

(For Resolution see House Journal of January 16.)

And that they had passed a resolution which originated in that body of the following title, viz.:

S. Res. 5. Resolution inviting Secretary Herbert Hoover to address the General Assembly.

Said resolution is as follows, viz.:

Whereas, the Republicans of Kentucky seem to strongly favor the nomination of Secretary Herbert Hoover for the Presidency in 1928, as their candidate for President; and,

Whereas, they are desirous of looking the said Hoover over and to determine his fitness for said nomination; and,

Whereas, the members of this General Assembly are now very much engaged in their official duties and have not the time to spare to investigate the qualities of the said Hoover; therefore, be it

Resolved, That the said Herbert Hoover is hereby jointly invited by the Democrats and Republicans of the General Assembly to speak to them in joint session at his convenience and pleasure in the near future, upon any subject he may choose, and the Presiding Officers of the Senate and House are hereby requested to appoint a Committee consisting of three members each of the respective Houses to so notify the said Hoover of this invitation.

Mr. Harrison moved that said resolution be laid on the table.

Said motion was disagreed to.

Mr. Lewis offered the following Amendment to said resolution, viz.:

Amend S. Res. 5 by adding after the words "Herbert Hoover" the words "Frank O. Lowden, Albert E. Smith and James O. Reed."

Mr. Meyers offered the following Amendment to the Amendment as offered by Mr. Lewis, viz.:

Amendment by adding the name "Will Rogers."

Said Amendment to the Amendment was agreed to.

Said Amendment as amended was then agreed to.

Said Resolution as amended was disagreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following titles, viz.:

S. B. 5. An Act to amend an Act relating to the holding of Circuit Courts in 31st Judicial District.

Ordered that said bill be printed and referred as follows, viz.:

To Committee on Circuit Courts.

Upon a call of the Counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Duncan:

H. B. 220. An Act relating to roads and bridges, amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as Project No. — a State Aid Inter-County Seat Road from Lawrenceburg, Anderson County, Kentucky, to Georgetown, Scott County, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 221. An Act relating to roads and bridges, amending Chapter 17 of the Acts of the General Assembly of the

Commonwealth of Kentucky, 1920, by adding thereto as Project No. —, beginning at a point on Federal Project No. 160 at the intersection with the Bonds Mill pike, thence with same to Old Goshen Church on Hoop Pole pike, thence to Ballard, thence to Rutherford School House, thence the most feasible route to Tatum Springs and Springfield, Washington County, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 222. An Act relating to roads and highways, establishing a Project — beginning at an intersection with Federal Project No. 134 and the new Alton Pike to New Alton, thence to Pidgeon Fork Church over the Alton Station and Benson Creek pike, thence to Harrisonville, thence to Waddy, thence to Patona, Shelby County, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Fisher:

H. B. 223. An Act empowering and requiring the sheriff of each county of this Commonwealth to collect the dog tax and to issue a license tag therefor; providing for the Commissioner of Agriculture to furnish license tags and receipts to the sheriff of each county in relation to the collection, receipting for and accounting for the dog tax collected from the owners of dogs in each county; and repealing all laws in conflict herewith.

To Committee on Agriculture.

By same:

H. B. 224. An Act providing for a new efficient and perfect system of circuit courts in each county comprising the circuit court districts as now established, etc.

To Committee on Circuit Courts.

By Mr. Taylor:

H. B. 225. An Act adding additional Project to System of State Highways.

To Committee on Roads and Highways No. 2.

By same:

H. B. 226. An Act adding additional road Project to Primary System of State Highways.

To Committee on Roads and Highways No. 2.

By same:

H. B. 227. An Act adding additional road project to present Highways System.

To Committee on Roads and Highways No. 2.

By same:

H. B. 228. An Act adding additional Project to State Highway System.

To Committee on Roads and Highways No. 2.

By Mr. Sparks:

H. B. 229. An Act to add to the State Primary System a road from Hitchens, Carter County, Kentucky, to the Mayo

Trail in Lawrence County, Kentucky, at the residence of Jeff Collinsworth via Willard, Webbville and Brammar Gap, and to be a part of Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Land:

H. B. 230. An Act authorizing official stenographic court reporters for all circuit courts in this Commonwealth to take depositions in shorthand and compel the attendance of witnesses and to administer oaths in any county of this Commonwealth.

To Committee on Kentucky Statutes.

By Mr. Creech:

H. B. 231. An Act to make valid and enforceable written provisions or agreements for the arbitration of disputes.

To Committee on Kentucky Statutes.

By Mr. Green:

H. B. 232. An Act relating to and regulating trucks and other motor driven vehicles operating upon the public highways, and fixing the fines and penalties for the violation thereof.

To Committee on Motor Transportation.

By Mr. Pryor:

H. B. 233. An Act to extend the primary road system adopted in 1920 and amended in 1922, 1924 and 1926, from Eveleigh in Grayson County to the Paducah Highway at or

near Harned in Breckinridge County via Madrid, McDaniels, Raff and West View.

To Committee on Roads and Highways No. 2.

By Mr. Swearingen:

H. B. 234. An Act relating to roads and bridges, and amending Chapter 154 Acts of General Assembly of Kentucky, 1924, by adding thereto as Project No. — a road from Old Town to Keyhoe, in Greenup County.

To Committee on Roads and Highways No. 2.

By Mr. Ryans:

H. B. 235. An Act to enable cities of the first class at any time or times and as often as the Mayor and legislative body of such City shall deem for its best interest to project, construct and establish a system or systems of sewers or successive systems of sewers for the disposition of sewage of such City, and to project, construct, and establish such system or systems with a view to either or both the then needs of such City or in anticipation of the future needs of such City.

To Committee on Cities of the 1st Class.

By Mr. Dorman:

H. B. 236. An Act authorizing and empowering the State Board of Agriculture to anticipate the receipts and borrow money for the current expenses of the Kentucky State Fair.

To Committee on State Fair.

By Mr. Nichols:

H. B. 237. An Act establishing and making a road from Project 3 at Smithtown to Project 62 via Trappist, Kentucky, a part of the Primary System of State Highways, and designating said project as Project No. —.

To Committee on Roads and Highways No. 3.

By same:

H. B. 238. An Act to amend and re-enact "An Act to establish Project — as a part of the Primary System of Roads and Highways of the State of Kentucky," Chapter 254 of the Acts of the General Assembly 1924.

To Committee on Roads and Highways No. 3.

By same:

H. B. 239. An Act establishing and making a road from Holy Cross, Marion County, Kentucky, to Buffalo, Larue County, Kentucky, via New Hope, Gleanings, Stile and near Howardstown, as a part of the Primary system of State Highways, and designating said project as Project —.

To Committee on Roads and Highways No. 3.

By Mr. Burnam:

H. B. 240. An Act adding and establishing as part of the primary system of the State highways a road from Waco, Madison County, via College Hill, to mouth of the Red River.

To Committee on Roads and Highways No. 2.

By same:

H. B. 241. An Act adding and establishing as part of the primary system of State Highways a road from Richmond, Madison County, via Barns Mill, thence via Kirksville and Kentucky River turnpike, via Cottonburg and Edenton to Hunter's Ferry on Kentucky River.

To Committee on Roads and Highways No. 3.

By Mr. Hobbs:

H. B. 242. An Act to amend and re-enact Chapter 17 of the Acts of the General Assembly of Kentucky of 1920 (Sec. 4356t-5 Kentucky Statutes, Carroll's 1922 Edition) as amended relating to Public Roads, Bridges and Highways, by adding thereto a new project to be designated as Project No. 29a.

To Committee on Roads and Highways No. 3.

By Mr. Murphy:

H. B. 243. An Act increasing the powers of the State Highway Commission with reference to building bridges, etc.

To Committee on Public Bridges and Ferries.

By Mr. Strange:

H. B. 244. An Act to repeal and re-enact Chapter 106 of the Acts of 1926 entitled "An Act to assist disabled United States Spanish War Veterans and their dependents in obtaining from the Federal Government the relief authorized by Acts of Congress, and creating for that purpose a voluntary commission, and providing for its office expenses and salary

of secretary." And providing for taking care of other expenses and making appropriation for all of said purposes.

To Committee on Military Affairs.

The Committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Lewis of the Committee on Circuit Courts:

H. B. 20. An Act to amend an Act relating to the holding of Circuit Courts in 31st Judicial District.

By Mr. Bungler of the Committee on Constitutional Amendments:

H. B. 42. An Act to provide for the submission to the voters of this State of a Constitutional Amendment permitting in the future the submission of a greater number than two amendments to the Constitution to be voted on at any one time.

With the expression of opinion that they ought to pass.

Ordered that said bills be read the first time at length and placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 72. An Act to amend Section 415b-6 Kentucky Statutes, Carroll's 1922 Edition, which same relates to Confederate Soldiers' pensions.

H. B. 40. An Act to regulate the business of brokers and prescribing penalties for the violation of this Act.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Meyers moved that the House do now adjourn until next Monday, January 23, at 1 o'clock P. M.

Said motion was agreed to.

And then the House adjourned.

MONDAY, JANUARY 23, 1928.

The House was opened with prayer by the Reverend J. E. Moss of the Methodist Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	S. J. Bunger	D. E. Edwards
A. L. Allen	Sam P. Burnam	J. W. Edwards
S. E. Anderson	E. L. Campbell	J. O. Evans
W. B. Ardery	J. G. Campbell	Virgil Eversole
W. O. Bach	Harry Cochran	Chas. H. Fair
Walter J. Bailey	John Cooper	W. J. Fisher
A. J. Baldridge	J. O. Creech	J. C. Flener
W. O. Baxter	C. B. Crossland	Duke W. Fowler
T. H. Benton	J. R. Dorman	Chas. B. Fulton
W. P. Bowman	E. J. Doss	J. B. Furlong
Thos. L. Britton	W. M. Duncan	F. A. Gnau
W. G. Buckner	Thos. J. Dunn	R. C. Graham

W. T. Green	T. M. Johnson	J. H. Payne
E. L. Hagan	John C. Kemper	Levi W. Powell
A. L. Hall	John B. Klefot	J. G. Prather
John G. B. Hall	Porter J. Land	B. A. Robertson
T. W. Hardesty, Jr.	S. D. Laughlin	C. W. Ryans
Herman Handmaker	Leon P. Lewis	Charles Smith
Brooks L. Hargrove	Wm. McClave	Daniel Boone Smith
C. W. Hawkins	J. L. McKnight	S. G. Smith
Joseph M. Hayse	Clark Macdonald	M. E. Sparks
Phillip Helf	Luther Morse	Dan Stamper
J. R. Hobbs	C. C. May	Frank L. Strange
J. S. Hollan	Henry Meiman	J. G. Swearingen
H. B. Holland	A. M. Mercer	Mac Swinford
S. K. Holland	Harry J. Meyers	J. B. Taylor
Ira L. Horn	E. B. Miller	E. G. Thomas
Robt. L. Horn	L. P. Murphy	C. F. Thornton
Josephus Howard	James H. Muse	P. H. Vincent
W. F. Hunter	L. C. Nell	L. M. Weathers
Lester Jeter	Andrew Nichols	J. A. White

Mr. Gnau moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Hawkins moved that the privileges of the floor be extended to the Hon. J. S. Blackburn, former member of this body.

Said motion was agreed to.

Mr. Jeter moved that Master William Jefferson Hunter be made Honorary Page for this session.

Said motion was agreed to.

Mr. Strange moved that an indefinite leave of absence be granted to Mr. C. V. Carver.

Said motion was agreed to.

The Speaker laid before the House the following invitation, viz.:

Hon. John S. Milliken,
Speaker House of Representatives, Frankfort, Kentucky.

Dear Sir:

You and each member of the House of Representatives, families and friends, are cordially invited to attend a reception to be given in honor of the members of the General Assembly at the Mansion, on next Wednesday evening, January 25th, 8:30 to 12.

As presiding officer, will you please convey this invitation to the members of your body.

Respectfully,

FLEM D. SAMPSON, Governor.

The Speaker laid before the House the following communication, viz.:

Hon. John S. Milliken,
Frankfort, Kentucky.

Dear Sir:

Inclosed you will find a list of Lobbyists registered in the office of the Attorney General for this session up to and including January 21. This is furnished you in pursuance to a Resolution offered by Hon. J. G. Prather on January 18, inst.

Yours truly,

J. W. CAMMACK, *Attorney General*.

Said list of Lobbyists is as follows, viz.:

LOBBYISTS REGISTERED IN THE OFFICE OF THE ATTORNEY GENERAL,
LEGISLATIVE SESSION 1928, UP TO AND
INCLUDING JANUARY 21, 1928.

Name	Address	Interest of
H. Muir	Louisville, Ky.	Brotherhood Locomotive Engineers
J. T. Mercer	Paducah, Ky.	Brotherhood Locomotive Firemen and Enginemen
N. J. Gallagher	Louisville, Ky.	Brotherhood of Railroad Trainmen
Mrs. Julia R. Gunn	Lexington, Ky.	Ky. Women's Joint Legislative Council
Peter Campbell	Louisville, Ky.	Ky. State Federation of Labor
John Schneider	Louisville, Ky.	Ky. State Federation of Labor
R. E. Fleming	Louisville, Ky.	Louisville & Nashville R. R. Co.
C. C. Regan	Covington, Ky.	Order of Railway Conductors of America.
Matthew M. Vettines	Louisville, Ky.	United Trades & Labor Assembly
John C. Dice	Richmond, Va.	Chesapeake & Ohio, Ry. Co.
C. J. Neekamp	Ashland, Ky.	Northeast Ky. Coal Association
J. E. Johnson	Lexington, Ky.	Coneva Coal Corp.
Wm. M. Duffy	Louisville, Ky.	Am. Reciprocal Ins., Association
Wm. M. Duffy	Louisville, Ky.	Ky. Farm Products Association
Wm. M. Duffy	Louisville, Ky.	Sutcliffe Co., George Buechel
Dave Burnett	Louisville, Ky.	Metal Polishers Int. Union

Fred A. Perkins, Secy.	Louisville, Ky.	Ky. State Plumbers Joint Sanitary Boards
Martin Palmer	Louisville, Ky.	Ky. State Plumbers Joint Sanitary Board
C. V. Bridwell	Louisville, Ky.	Southern Bell Tele- phone, Telegraph Co.

The Speaker laid before the House the following communication, viz.:

RESOLUTION ADOPTED BY THE AMERICAN LEGION OF KENTUCKY
RELATIVE TO THE KENTUCKY DISABLED EX-SERVICE MEN'S
BOARD

WHEREAS, there are many thousands of Kentucky's sons and daughters who willingly gave their services to their country and whose health was impaired by reason of their services, and

WHEREAS, Kentucky has generously provided for assistance to the disabled veterans of the World War in prosecuting their claims for compensation, hospitalization, insurance, vocational training and other forms of federal relief and benefits through the Kentucky Disabled Ex-Service Men's Board, and

WHEREAS, there are still a great many disabled veterans whose claims have not been allowed or finally and satisfactorily adjudicated; the claims disallowed and now pending numbering approximately twenty thousand (20,000), now therefore

BE IT RESOLVED, that the American Legion, Department of Kentucky expresses its sincere appreciation to the General Assembly and State of Kentucky for so generously providing such invaluable assistance for the disabled World War veterans of Kentucky and requests that the Kentucky Disabled Ex-Service Men's Board be continued for the completion of its work for at least a period of two more years, because of

the large number of disallowed, new and pending meritorious claims requiring assistance and prosecution.

T. H. HAYDEN, JR.
Department Adjutant.

January 20, 1928.

HON. JOHN S. MILLIKEN,
Speaker of the House of Representatives,
Frankfort, Kentucky.

Dear Sir:

The Ninth Annual Convention of the American Legion, Department of Kentucky, held at Frankfort, Kentucky, August 22nd-24th, 1927, unanimously adopted a resolution expressing the sincere appreciation of the veterans of the American Legion of Kentucky for the creation and maintenance of Kentucky Disabled Ex-Service Men's Board, which has rendered invaluable assistance to thousands of disabled men and women and their dependents, a very large percentage of whom had been previously denied or experienced difficulty in obtaining the relief to which they are legally entitled. A copy of our convention resolution is enclosed herewith.

The Kentucky Disabled Ex-Service Men's Board has been and is indispensable to the best interests and welfare of the World War veterans of Kentucky. You will note that the resolution also requests and urges that this Board be recreated for two more years, because there are thousands of meritorious cases still requiring assistance and the cases are daily developing.

It is hoped that the General Assembly will realize the necessity for the continuance of this assistance to the World War disabled veterans of Kentucky and will authorize and provide for its continuation.

S. C. SMITH, *Ashland, Ky., Dept. Com.*
T. H. HAYDEN, JR., *Louisville, Ky., Dept. Adj.*
W. C. WILSON, *Lexington, Ky., Dept. Leg. Char.*

Upon a call of the counties and legislative districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Duncan:

H. B. 245. An Act repealing Sec. 4399a-10 Article V. chapter 113 of Kentucky Statutes, Carroll's 1922, title, school, common, and re-enacting same with certain changes and modifications, making office of County Superintendent of Schools an elective office, and prescribing duties, qualifications, salary limits, etc.

To Committee on Education No. 1.

By Mr. Payne:

H. B. 246. An Act requiring county boards of Education to make the county school tax levy for school purposes and to make consolidated and sub-district tax levies for school purposes and requiring such county Boards of Education to file same with the county court clerk.

To Committee on Education No. 2.

By Mr. Bailey:

H. B. 247. An Act to amend and re-enact section 133 of Carroll's 1922 Edition of Kentucky Statutes, relating to fines, taxed attorney's fees, and percentage of fines and forfeitures allowed County Attorneys.

To Committee on Kentucky Statutes.

By Mr. Vincent:

H. B. 248. An Act relating to education in this Commonwealth; appropriating money from the General fund of the

Treasury of the Commonwealth to be used for educational purposes in connection with the public school system of this Commonwealth and conferring authority and power upon the State Board of Education upon the recommendation of the Superintendent of Public Instruction to supervise and administer the expenditure of the money so appropriated; defining the purposes for which the money so appropriated shall be used and providing conditions upon which it shall be received; conferring upon the State Board of Education upon the recommendation of the Superintendent of Public Instruction the power and authority to prescribe rules and regulations for the administration and the use and expenditure of the money so appropriated; and generally to provide for a better system of Public Schools in this Commonwealth.

To Committee on Education No. 1.

By Mr. Alcock:

H. B. 249. An Act placing a road in Boyle county upon the Primary System.

To Committee on Roads and Highways No. 3.

By same:

H. B. 250. An Act placing a road in Boyle County and Washington County upon the Highway System.

To Committee on Roads and Highways No. 3.

By same:

H. B. 251. An Act placing a road in Mercer and Boyle counties upon the Primary System.

To Committee on Roads and Highways No. 3.

By same:

H. B. 252. An Act placing a road in Boyle County upon the Primary System.

To Committee on Roads and Highways No. 3.

By Mr. Hardesty:

H. B. 253. An Act to repeal and re-enact Kentucky Statutes Section 1475 changing the ways and the rights of blind voters.

To Committee on Suffrage and Elections.

By Mr. Helf:

H. B. 254. An Act to amend and re-enact an act appearing in chapter 98, 1924, approved on March 10, 1924, entitled "An Act to provide for the construction of sewers in cities of the 4th Class and to provide for the payment of the same, and repealing subsection 9 of section 3490 Ky. Statutes, relating thereto."

To Committee on Cities of the 4th Class.

By Mr. S. G. Smith:

H. B. 255. An Act to require all owners and lessees of all ferries operated on any stream in this Commonwealth, where roads and public highways, other than those embraced in the State Primary Road System, by being actually surveyed and contracts let for the building of same, and State maintained highways, cross, to grade, hard surface and maintain such roads from low-water mark to high-water mark or

the banks of such streams, repealing all laws in conflict with this Act and providing penalties for its violations.

To Committee on Bridges and Ferries.

By Mr. Muse:

H. B. 256. An Act relating to roads and highways and describing and zoning a Project to be added to the Primary System of Roads and Highways.

To Committee on Roads and Highways No. 3.

By Mr. Graham:

H. B. 257. An Act providing for a Memorial bridge to Kentucky's Ex-Service men of all wars.

To Committee on Roads and Highways No. 1.

By Mr. Green:

H. B. 258. An Act establishing and adding road project to the State Road System.

To Committee on Roads and Highways No. 2.

By Mr. Hargrove:

H. B. 259. An Act to amend section 124 of the 6th Edition of Carroll's Kentucky Statutes, so as to provide that the Commonwealth's Attorney shall receive no part of fines and forfeitures collected of defendants charged in an indictment with a greater offense than that for which judgment is rendered against him.

To Committee on Circuit Courts.

By Mr. Eversole:

H. B. 260. An Act creating the office of assistant county attorney in counties where the population is over fifty thousand people and not having a city of the first and second class. The manner of appointment, term of office, compensation, duties and qualifications.

To Committee on County Courts.

By same:

H. B. 261. An Act to add to the primary system of public highways, a road leading from Harlan, in Harlan County, to Keokee, Virginia in Wise County, Virginia, and known as the Clover-Fork-Trail.

To Committee on Roads and Highways No. 2.

By Mr. Macdonald:

H. B. 262. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road from a point upon U. S. Highway 60, three miles southwest of Henderson, to Mt. Vernon Ferry.

To Committee on Roads and Highways No. 2.

By Mr. Ryans:

H. B. 263. An Act to amend and to re-enact section 1763, Kentucky Statutes, Carroll's Edition of 1915.

To Committee on County Courts.

By Mr. Dorman:

H. B. 264. An Act amending and re-enacting section 786 of Carroll's Kentucky Statutes, of 1922, relating to signals required to be given by railroads at highway crossings and prescribing a penalty for violation of the provisions.

To Committee on Railroads.

By Mr. Baldrige:

H. B. 265. An Act relating to relief for the blind, and amending chapter 18, Acts of General Assembly of Commonwealth of Kentucky 1924, by striking from sections 1893a-10 and 1893a-11 the word "may" and inserting therefor the word "shall."

To Committee on Kentucky Statutes.

By Mr. Dunn:

H. B. 266. An Act empowering and authorizing cities of the 4th class to receive or purchase lands for parks and playgrounds.

To Committee on Cities of the 4th Class.

By Mr. Howard:

H. B. 267. An Act relating to establishment of graded common schools.

To Committee on Education No. 1.

By Mr. Nichols:

H. B. 268. An Act prescribing the daily hours of work for judges of Circuit Courts and special judges of such courts

and for the arranging of the dockets therein by the regular or special judges.

To Committee on Circuit Courts.

By Mr. McKnight:

H. B. 269. An Act relating to roads and bridges.

To Committee on Roads and Highways No. 1.

By Mr. J. G. Campbell:

H. B. 270. An Act to amend an act entitled "Police Court; Judge; Election; Qualification; Salary" which is section 3146 Carroll's Statutes, 1922.

To Committee on County and City Courts.

By Mr. Jeter:

H. B. 271. An Act putting a road on the Primary System in Lincoln County.

To Committee on Roads and Highways No. 2.

By same:

H. B. 272. An Act placing a road on the Primary System in Lincoln County.

To Committee on Roads and Highways No. 2.

By Mr. Edwards:

H. B. 273. An Act relating to roads and highways, creating a road from a point near Lewisburg, Kentucky, to the Butler County line.

To Committee on Roads and Highways No. 2.

By Mr. Miller:

H. B. 274. An Act placing a road in Mercer and Boyle counties upon the Primary System.

To Committee on Roads and Highways No. 2.

By Mr. May:

H. B. 275. An Act relating to revenue and taxation, and amending section 6 of chapter 116 of the Acts of the General Assembly of 1924; providing an annual tax upon property subject to taxation in this state, fixing the rates thereof, distributing said tax to various departments and state institutions; providing for the assessment and collection of taxes on omitted intangible personal property, fixing the penalties and interests due thereon; defining "real estate" or "land," "personal property" and "agricultural lands;" and repealing existing statutes.

To Committee on Revenue and Taxation No. 1.

By Mr. Cooper:

H. B. 276. An Act to authorize the incorporation of chambers of commerce, provide for their government and the collection of dues, and to authorize appropriations thereto by city councils and city commissioners of cities of the 3rd and 4th class in the Commonwealth of Kentucky.

To Committee on Cities of 2nd and 3rd Classes.

By Mr. Weathers:

H. B. 277. An Act relating to roads and highways and creating a road through Todd County.

To Committee on Roads and Highways No. 3.

By same:

H. B. 278. An Act to amend Cold Check Law.

To Committee on Criminal Law.

By Mr. Watkins:

H. B. 279. An Act to add to Kentucky Primary Road System a road beginning in Union County, etc.

To Committee on Roads and Highways No. 2.

By Mr. Strange:

H. B. 280. An Act authorizing cities of the third class, not having commission form of government, owning its system of water works, to provide by ordinance for the management and operation thereof by a Board of Water Works.

To Committee on Cities of the 2nd and 3rd Class.

By Mr. S. K. Holland:

H. B. 281. An Act relating to revenue and taxation, imposing an excise or license tax on gasoline and all other liquid fuels, including all liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of, and condensates from petroleum, natural gas, coal tar, vegetable ferments, and

from all other products, so usable and sold in this Commonwealth at wholesale, as the words "at wholesale" are defined in this act; except kerosene, fuel oil, and crude oil, as such; providing for the collection of such tax; exempting gasoline from local excise and license taxes; the distribution and use of the revenue derived therefrom, the administration of said law, fixing fines and penalties for the violation of this act; repealing chapter 69, Acts of 1926, the present gasoline tax law.

To Committee on Revenue and Taxation No. 1.

By Mr. Manning:

H. B. 282. An Act creating primary road leading from Pineville to Holton, approximately 18 miles.

To Committee on Roads and Highways No. 2.

By Mr. Meyers:

H. B. 283. An Act to amend section 938G-2 Kentucky Statutes, relating to water district commissioners; term; salary.

To Committee on County and City Courts.

Mr. Furlong of the Committee on County and City Courts, to which same had been originally referred, reported a bill entitled:

H. B. 120. An Act to amend an Act to amend and re-enact Section 911 of the Kentucky Statutes, Carroll's Edition 1915, relating to official indexers, approved March 23, 1920, being section 911 of Carroll's Kentucky Statutes, 1922 Edition.

With the expression of opinion that said bill ought to pass.

Said bill was read at length the first time and ordered to be placed on the Calendar.

The House took for consideration from the Calendar bills of the following titles, viz.:

H. B. 20. An Act to amend an Act relating to the holding of Circuit Courts in 31st Judicial District.

H. B. 42. An Act to provide for the submission to the voters of this State of a constitutional amendment permitting in the future the submission of a greater number than two amendments to the Constitution to be voted on at any one time.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 40. An Act to regulate the business of brokers and prescribing penalties for the violation of this Act.

[Illegible text]

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) Any broker who, knowing that he is insolvent, accepts or receives or consents or assents to the receipt from a customer ignorant of such broker's insolvency, deposits of money, stocks, bonds, securities, or other things of value belonging to the customer, to be used as margins for the purchase of stocks, bonds, grain, produce, or cotton, otherwise than in payment of or security for an existing indebtedness, and who thereby causes the customer to lose in whole or in part such money, stocks, bonds, securities, or other things of value, shall be guilty of a felony, and upon conviction shall be punished by confinement in the penitentiary for not less than one nor more than ten years.

(2) Any broker who, having in his possession, for safe-keeping, or otherwise, money, stocks bonds, securities, or other things of value belonging to a customer, without having any lien thereon or any special property therein, pledges or disposes thereof without such customer's consent, shall be guilty of a felony and upon conviction shall be punished by confinement in the penitentiary for not less than one nor more than ten years.

(3) A broker, within the meaning of the foregoing sections, shall be any person, firm, or corporation, who is engaged in the business of buying or selling stocks, bonds, grain, produce, or cotton, as agent or representative of other persons upon margins, and who charges commissions for his or its services.

(4) Every member of a firm of such brokers and every officer, manager, agent or employee of such person, firm or corporation, engaged in the business of brokers, who either knowingly does or knowingly consents or assents to the doing of any act which by the provisions of this act is made a crime, shall be guilty thereof and shall be punished by confinement in the penitentiary for not less than one nor more than ten years.

(5) All laws and parts of laws in conflict with this Act are hereby repealed.

Together with the following Committee Amendment, viz.:

Amend H. B. 40 by adding to printed copy, Section 2 line 4, following the words "such customers" the word "written."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

J. Curtis Alcock	D. E. Edwards	J. R. Hobbs
A. L. Allen	J. W. Edwards	J. S. Hollan
S. E. Anderson	J. O. Evans	H. B. Holland
W. B. Ardery	Virgil Eversole	S. K. Holland
W. O. Bach	Chas. H. Fair	Ira L. Horn
Walter J. Bailey	W. J. Fisher	Robt. L. Horn
A. J. Baldrige	J. C. Flener	Josephus Howard
W. O. Baxter	Duke W. Fowler	W. F. Hunter
T. H. Benton	Chas. B. Fulton	Lester Jeter
W. P. Bowman	J. B. Furlong	T. M. Johnson
Thos. L. Britton	F. A. Gnau	John C. Kemper
S. J. Bunger	R. C. Graham	John B. Klefot
Sam P. Burnam	W. T. Green	Porter J. Land
E. L. Campbell	E. L. Hagan	S. D. Laughlin
J. G. Campbell	A. L. Hall	Leon P. Lewis
Harry Cochran	John G. B. Hall	Wm. McClave
John Cooper	T. W. Hardesty, Jr.	J. L. McKnight
J. O. Creech	Herman Handmaker	Clark Macdonald
C. B. Crossland	Brooks L. Hargrove	J. L. Manning
E. J. Doss	C. W. Hawkins	C. C. May
W. M. Duncan	Joseph M. Hayse	Henry Meiman
Thos. J. Dunn	Phillip Helf	A. M. Mercer

Harry J. Meyers	W. H. Pryor	J. G. Swearingen
E. B. Miller	B. A. Robertson	Mac Swinford
L. P. Murphy	C. W. Ryans	J. B. Taylor
James H. Muse	Charles Smith	E. G. Thomas
L. C. Nell	Daniel Boone Smith	C. F. Thornton
Andrew Nichols	S. G. Smith	P. H. Vincent
J. H. Payne	M. E. Sparks	J. C. Watkins
Levi W. Powell	Dan Stamper	J. A. White
J. G. Prather	Frank L. Strange	

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Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 72. An Act to amend section 415b-6 Kentucky Statutes, Carroll's 1922 Edition, which same relates to Confederate Soldiers' pension.

Mr. May moved that said bill lie on the Clerk's desk until to-morrow.

Said motion was agreed to.

A message was received from the Senate announcing that they had adopted the following concurrent resolution, viz:

JOINT RESOLUTION

Memorializing the Congress of the United States to inquire into the activities of the Interstate Commerce Commission in its interference with the freedom of commerce between the state and its acts seeking to control industry and

to stifle and suppress competition, and requesting Congress to adopt such legislation as is necessary to prevent a continuation of such acts and policies by the Interstate Commerce Commission.

WHEREAS, the Interstate Commerce Commission is an arm or agency of the Congress of the United States, created by the Congress to perform certain duties in the regulation of transportation for the protection of the shippers, the carriers and consumers of the United States, and

WHEREAS, while we recognize the respect due to the decisions of all tribunals lawfully constituted by the Federal Government for the orderly conduct of its lawful functions, the right to observe and criticise the activities of such tribunals remains with the people for whose benefit they are assumed to have been created, and

WHEREAS, the Interstate Commerce Commission, in exercising the powers vested in it by the Congress, has adopted the policy of increasing the disparity between the rates of competing producers and shippers and of steadily increasing the freight rate disadvantage of the long haul shipper by making distance the sole measure of rates, and

WHEREAS, the Interstate Commerce Commission is further exercising its powers to prevent carriers from reducing rates where such reductions are necessary in order to enable shippers served by such carriers to compete in the markets and where the carriers proposing such reductions are able to make same without casting a burden on other traffic, and

WHEREAS, the Interstate Commerce Commission in the further exercise of its powers, has repeatedly found that the shipper or community having the lower rate is unduly prejudiced by the higher rate charged competing shippers or communities alleged to be unduly preferred; and,

WHEREAS, the aforesaid acts and policies of the Interstate Commerce Commission result in restricting competition zoning the commerce of the country and favoring certain sec-

tions thereof as against other sections and restricting the commerce between the States, and

WHEREAS, the majority opinion in Lake Cargo Rates, 1925, is illustrative of these tendencies on the part of the Interstate Commerce Commission and its method of fixing railroad freight rates, particularly on coal, all of which we deem unsound, unlawful and dangerous, and may be set forth as follows:

1. To magnify the importance of a so-called "rate structure," regardless of actual transportation conditions and abilities of railroads serving certain communities;

2. To give undue, and apparently controlling weight to mere differences in mileage, disregarding the facts as to actual transportation costs and operating conditions, and particularly disregarding, as concerns Kentucky, the fact that some railroads have been constructed solely for the purpose of moving coal, which fact takes such roads out of the class of roads carrying diversified freight;

3. To increase freight differentials in order to offset higher costs of production of coal;

4. To disregard the fundamental purpose of the Constitution to promote interstate commerce, and to destroy it under the name of regulation;

5. To carry these methods of rate making to the point where the result is the zoning of the country so that established markets would have to be abandoned, established business plants moved, sources of supply cut off, and the whole business structure of the country destroyed; and,

Whereas, these tendencies of the Interstate Commerce Commission are particularly injurious to the State of Kentucky in their destructive effect upon its coal industry, for the reason that a large part of its coal must be transported long distances to reach its accustomed markets where it meets in competition coal produced under differentials in freight rates adverse to it fixed in the manner here stated; and

Whereas, John J. Esch has been reappointed by the President as a member of the Interstate Commerce Commission, which nomination is now before the Senate of the United States for confirmation; and

Whereas, the said John J. Esch has shown, by his votes in important cases, including the case above cited, before the Commission during his past term as a member thereof, that he endorses, supports and advocates the objectionable, dangerous, and unlawful tendencies, and acts of the Commission hereinbefore set out, and is not, therefore, in our opinion, a proper person to be a member of the Interstate Commerce Commission; and

Therefore, Be It Resolved, That the Legislature of the State of Kentucky, duly assembled, respectfully petitions the Senate of the United States not to confirm the appointment of John J. Esch to be a member of the Interstate Commerce Commission; and

Further, that the Senators of this State be requested to vote against the confirmation of the said John J. Esch as a member of the Interstate Commerce Commission, and that they, as well as all the Representatives in Congress from this State, be requested to do all that they honorably can to prevent such confirmation, and

Further, that the Governor of this State be requested to use his best efforts to the same end, and further, that a copy of this Joint Resolution be furnished the Senate of the United States, the Senate Committee on Interstate and Foreign Commerce, and the Senators and Representatives of the State of Kentucky.

Mr. Eversole moved that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Said resolution was then unanimously adopted.

Mr. Meyers moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 24, 1928.

The House was opened with prayer by the Reverend J. Howard Gibbons of the Protestant Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	D. E. Edwards	H. B. Holland
A. L. Allen	J. W. Edwards	S. K. Holland
S. E. Anderson	J. O. Evans	Ira L. Horn
W. B. Ardery	Chas. H. Fair	Robt. L. Horn
W. O. Bach	W. J. Fisher	Josephus Howard
Walter J. Bailey	J. C. Flener	W. F. Hunter
A. J. Baldrige	Duke W. Fowler	Lester Jeter
W. O. Baxter	Chas. B. Fulton	T. M. Johnson
T. H. Benton	J. B. Furlong	John C. Kemper
W. P. Bowman	F. A. Gnau	John B. Klefot
Thos. L. Britton	R. C. Graham	Porter J. Land
S. J. Bunker	W. T. Green	S. D. Laughlin
Sam P. Burnam	E. L. Hagan	Leon P. Lewis
E. L. Campbell	A. L. Hall	Wm. McClave
J. G. Campbell	John G. B. Hall	Wm. McClave
Chas. B. Carver	T. W. Hardesty, Jr.	J. L. McKnight
Harry Cochran	Herman Handmaker	Clark Macdonald
John Cooper	Brooks L. Hargrove	Luther Morse
C. B. Crossland	C. W. Hawkins	C. C. May
J. R. Dorman	Joseph M. Hayse	Henry Meiman
E. J. Doss	Phillip Helf	Harry J. Meyers
W. M. Duncan	J. R. Hobbs	L. P. Murphy
Thos. J. Dunn	J. S. Hollan	James H. Muse

L. C. Nell	C. W. Ryans	J. G. Swearingen
Andrew Nichols	Charles Smith	J. B. Taylor
J. H. Payne	Daniel Boone Smith	E. G. Thomas
Levi W. Powell	S. G. Smith	P. H. Vincent
J. G. Prather	M. E. Sparks	J. C. Watkins
W. H. Pryor	Dan Stamper	L. M. Weathers
B. A. Robertson	Frank L. Strange	J. A. White

Mr. Robertson moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Bunger moved that the privileges of the floor be extended to Hon. William Boling and Hon. D. C. Gray.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 11. An Act to change and fix the time, place and terms of court in the Twentieth Judicial District.

2. S. B. 15. An Act to amend section 965 Carroll's Kentucky Statutes, relating to the time of holding the terms of circuit court in the Thirty-fourth Judicial District, composed of the counties of McCreary, Whitley, and Knox, and declaring an emergency.

Ordered that said bills be printed and referred as follows, viz.:

1. To Committee on Circuit Courts.
2. To Committee on Circuit Courts.

And that they had passed a concurrent resolution which originated in that body of the following title, viz.:

S. Res. 4. Resolution providing for temporary assistant and temporary combined bookkeeper-stenographer for the office of the State Superintendent of Public Printing, and fixing the per diem of each.

Said resolution is as follows, viz.:

WHEREAS, the office of Superintendent of Public Printing, though handling annually two hundred thousand dollars of the State's business, covering printing, ruling, binding, paper; etc., and is not provided at this time with any sort or kind of clerical help, nor with any available budget to pay for same if so employed, and that for the past sixteen years or more it has been the custom of the legislature to provide temporary help for this department when needed, and whereas, the largely increased business and changes at this time in the various branches of government, in addition to the vast amount of legislative printing now on hand, has greatly congested the State's work in the Department of Public Printing, making it a physical impossibility for the superintendent alone to take care of it; therefore,

Be it resolved by the Senate, the House concurring:

That the Superintendent of Public Printing, with the approval of the Board of Printing Commissioners (composed of the Governor, Attorney General, Auditor, Treasurer and Secretary of State) be authorized to employ an assistant who, like himself shall have a practical knowledge of printing, ruling, binding, estimating, and of office work generally, at five dollars a day, and a combined bookkeeper-stenographer at four dollars a day, their compensation to be paid from legislative expenditures account until the adjournment of the legislature. And if one or both such employees are required to

serve any time after adjournment by the Board of Printing Commissioners, as aforesaid, until the congested business is relieved, their compensation after adjournment of the legislature shall be paid from the account of public printing and binding.

Mr. Hargrove offered the following amendment to said resolution, viz.:

Amend S. Res. 4 by adding the following clause to the last sentence of the resolution:

“but on no condition shall their service be retained longer than ten days after the adjournment of the General Assembly.”

Said amendment was agreed to.

Said resolution, as amended, was then concurred in.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. G. Campbell	Virgil Eversole
A. L. Allen	Chas. B. Carver	Chas. H. Fair
S. E. Anderson	Harry Cochran	W. J. Fisher
W. B. Ardery	John Cooper	J. C. Flener
W. O. Bach	J. O. Creech	Duke W. Fowler
Walter J. Bailey	C. B. Crossland	Chas. B. Fulton
A. J. Baldridge	J. R. Dorman	J. B. Furlong
W. O. Baxter	E. J. Doss	F. A. Gnau
T. H. Benton	W. M. Duncan	R. C. Graham
W. P. Bowman	Thos. J. Dunn	W. T. Green
S. J. Bunker	D. E. Edwards	E. L. Hagan
Sam P. Burnam	J. W. Edwards	A. L. Hall
E. L. Campbell	J. O. Evans	John G. B. Hall

T. W. Hardesty, Jr.	Porter J. Land	W. H. Pryor
Herman Handmaker	S. D. Laughlin	B. A. Robertson
Brooks L. Hargrove	Leon P. Lewis	Charles Smith
C. W. Hawkins	Wm. McClave	Daniel Boone Smith
Joseph M. Hayse	J. L. McKnight	S. G. Smith
Phillip Helf	Clark Macdonald	M. E. Sparks
J. R. Hobbs	Luther Morse	Dan Stamper
J. S. Hollan	C. C. May	Frank L. Strange
H. B. Holland	Henry Meiman	J. G. Swearingen
S. K. Holland	Harry J. Meyers	J. B. Taylor
Ira L. Horn	L. P. Murphy	C. F. Thornton
Robt. L. Horn	James H. Muse	P. H. Vincent
Josephus Howard	L. C. Nell	J. C. Watkins
W. F. Hunter	Andrew Nichols	L. M. Weathers
Lester Jeter	J. H. Payne	J. A. White
John C. Kemper	Levi W. Powell	
John B. Klefot	J. G. Prather	

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And that they had passed a resolution which originated in that body of the following title, viz.:

S. Res. 6. Resolution providing for the Statutes, Codes and Acts of 1924 and 1926 for the use of the Senate and House.

Said resolution is as follows, viz.:

WHEREAS, it is necessary to expedite the business of the General Assembly of Kentucky, that the members thereof have free access to the Statutes, Codes and the Acts of the General Assembly of one thousand nine hundred and twenty-four and one thousand nine hundred and twenty-six of the Commonwealth for their use and benefit during the present session of the General Assembly; therefore,

Be it resolved by the Senate, the House of Representatives concurring therein:

That the State Librarian be, and she is hereby instructed to procure ten copies each of the one thousand nine hundred

and twenty-two Statutes, Codes and the Acts of the General Assembly of one thousand nine hundred and twenty-four and one thousand nine hundred and twenty-six of the Commonwealth of Kentucky and deliver the same to the Speaker of the House of Representatives for the use and benefit of said members, and five copies each of said Statutes, said Code, and said Acts of the General Assembly of one thousand nine hundred and twenty-four and one thousand nine hundred and twenty-six to be delivered to the President of the Senate for the use and benefit of the members of the Senate, and in the event she is compelled to purchase any of said books the said Librarian shall present the bill for same to the Auditor of Public Accounts who is hereby directed to draw his warrant for the payment of same upon the Treasurer of the Commonwealth of Kentucky, same to be charged to the contingent fund of the Senate and House. Said copies of Statutes, Code and Acts of the General Assembly of one thousand nine hundred and twenty-four and one thousand nine hundred and twenty-six at the end of the present session, to be returned to the said State Librarian and be the property of the Commonwealth of Kentucky.

The Clerk of the House of Representatives and the Clerk of the Senate are hereby directed to sign a receipt for said books to be left in the custody of the Librarian for her records.

Said resolution was concurred in.

And that they had concurred in a resolution which originated in this House of the following title, viz.:

Resolution of Joint Assembly to elect State Librarian.

(For resolution see House Journal of January 17.)

Mr. Strange moved that an indefinite leave of absence be granted to Mr. McRohan.

Said motion was agreed to.

Upon a call of the Counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Fulton:

H. B. 284. An Act to amend chapter 222 of the Acts of the General Assembly of 1926, relating to roads and highways and extending the primary system from Mayfield, Graves County, via Farmington, Coldwater, Stella, Murray, etc.

To Committee on Roads and Highways No. 2.

By same:

H. B. 285. An Act establishing as a part of the primary system of State highways a road beginning on the Murray and Mayfield highway at the west side of J. C. Camp's farm in Calloway County and running due north through Penny to the Marshall County line about eight miles.

To Committee on Roads and Highways No. 2.

By same:

H. B. 286. An Act relating to the banking and trust business, repealing and re-enacting Chapter 21 of the Acts of the General Assembly of 1926.

To Committee on Banks and Banking.

By same:

H. B. 287. An Act to amend sections 1 and 2 of chapter 121 of the Acts of the General Assembly of 1918, relating to

the granting of pensions to indigent and disabled Confederate soldiers.

To Committee on Confederate Home.

By Mr. Fair:

H. B. 288. An Act to provide payment of compensation for certain persons who served with the military forces of United States in the recent war with Germany.

To Committee on Military Affairs.

By Mr. Creech:

H. B. 289. An Act to enable cities of the second class to adopt and operate under the city manager form of government and amending section 3235e-3 of Carroll's Kentucky Statutes.

To Committee on Cities of the 2nd and 3rd Class.

By same:

H. B. 290. An Act to repeal "An Act requiring county judges, police judges, justices of the peace, and clerks of the circuit courts to keep a record book in which all judgments, civil and criminal, shall be entered and cross indexed and imposing penalties for failure so to do" by repealing said act, which is now chapter 45 of the Acts of the General Assembly, in its entirety.

To Committee on County and City Courts.

By same:

H. B. 291. An Act creating a State Board of Examiners and Registration of Architects, prescribing its powers and

duties, providing for examinations and issuing certificates to qualified registered architects or architects and providing for penalties for violation of the provisions of this Act.

To Committee on Kentucky Statutes.

By Mr. Hagan:

H. B. 292. An Act prohibiting an attempt to rape a female of above twelve years of age, defining same and prescribing penalties therefor.

To Committee on Criminal Law.

By Mr. Eversole:

H. B. 293. An Act to create a Board of Chiropractic Examiners and to regulate the practice of Chiropractic and to provide penalties for violation of this act and to prohibit the practice of any other mode or system under the name of Chiropractic.

To Committee on Public Health.

By Mr. Handmaker:

H. B. 294. An Act to amend section 4 of chapter 43 of the Acts of the General Assembly of 1914 as amended by chapter 41 Acts of the General Assembly of 1926.

To Committee on County and City Courts.

By same:

H. B. 295. An Act to amend and re-enact section 1851B-3 of the Kentucky Statutes, Carroll's 1922, providing for the appointment, term, duties and compensation of the clerk

of fiscal court, deputy clerk and stenographer, Jefferson county, Kentucky.

To Committee on County and City Courts.

By same:

H. B. 296. An Act amending and re-enacting chapter 22 of the Acts of 1926 providing for the appointment of trial commissioners in counties containing a city of the first class.

To Committee on Cities of the 1st Class.

By Mr. Lewis:

H. B. 297. An Act concerning the duties of the county clerk in counties containing cities of the first class, in making out tax bills and certifying same to Sheriff for collection.

To Committee on Cities of the 1st Class.

By Mr. Hayse:

H. B. 298. An Act to repeal and re-enact section 440, Carroll's Kentucky Statutes, Sixth Edition, 1922.

To Committee on County and City Courts.

By same:

H. B. 299. An Act regulating magistrates' courts as prescribed by section 142 of the Constitution of Kentucky.

To Committee on County and City Courts.

By Mr. Baldrige:

H. B. 300. An Act relating to roads and highways and establishing as a part of the Primary System Project No.—

leading from a point near Oils Springs P. O. to Riceville, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Dunn:

H. B. 301. An Act relating to roads and bridges and establishing as a part of the primary system of State Highways a road leading from a point on State Project 103 where the Ryland Road intersects same to State Project 62 near Fiskburg in Kenton County, Kentucky and designating the same as State Project No. 103A.

To Committee on Roads and Highways No. 3.

By same:

H. B. 302. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Covington, Kenton County, Kentucky, to a point on State Highway No. 13 near Union in Boone County, and designating the same as State Project No. 13A.

To Committee on Roads and Highways No. 3.

By same:

H. B. 303. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Sanfordtown on State Project 62 to Bromley on State Project 103 designating the same as State Project —.

To Committee on Roads and Highways No. 3.

By same:

H. B. 304. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Independence, Kenton County, Kentucky, to Devon, Boone County, Kentucky, and designating the same as State Project —.

To Committee on Roads and Highways No. 3.

By same:

H. B. 305. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from a point on the Eastern Branch of the Dixie Highway at Nicholson to Covington in Kenton County, Kentucky and designating same as Project No.—.

To Committee on Roads and Highways No. 3.

By Mr. Campbell:

H. B. 306. An Act repealing section 2554a-16, Kentucky Statutes, 1924 Supplement, Carroll's Edition, relating to fee received by peace officers in certain cases.

To Committee on Kentucky Statutes.

By Mr. Crossland:

H. B. 307. An Act authorizing the Kentucky State Board of Agriculture to convey 4.93 acres more or less of its real estate in Louisville, Kentucky, to the Kentucky & Indiana Terminal Railway Company for the consideration of the maintenance and operation of the railroad track by said company where it is now located, to and within the Kentucky State Fair Grounds and the construction and operation of

platforms and railroad tracks for loading and unloading purposes for the use and benefit of the Kentucky State Fair and the maintenance thereof so long as said Kentucky State Fair is maintained and operated.

To Committee on State Fair.

By Mr. Miller:

H. B. 308. An Act establishing a road from State Project No. 47, about one and one-half miles west of Springfield, Kentucky, to Loretto, Kentucky, by way of St. Rose, as part of the Primary System of State Highways, and designating said project as Project No. 47A.

To Committee on Roads and Highways No. 2.

The Standing Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Lewis of the Committee on Circuit Courts:

S. B. 5. An Act to amend an Act relating to the holding of Circuit Courts in the 31st Judicial District.

By Mr. Kemper of the Committee on Education No. 2:

H. B. 178. An Act to create and to authorize the purchasing, acquiring and maintaining of a State School Text Book Printery and Bindery, and providing for the operation thereof, the employment of an editor and publisher of School Text Books for the use of the Common Schools of this Commonwealth, etc.

By Mr. Alcock of the Committee on Fish and Game:

H. B. 12. An Act to amend and re-enact sections 1938a-1, 1938a-4, Kentucky Statutes, Carroll's 1922 Edition, and sections 1938a-6, and 1938a-16, Kentucky Statutes, Carroll's 1922 Edition, as amended by chapter 133 of the Acts of 1924, changing the closed season on quail, providing a bag limit on squirrels, extending the closed season on wild turkey, Hungarian partridge, deer and elk, and providing an open season for imported pheasants, fixing hours of the day within which doves may be killed in open season, and prohibiting baiting of doves and providing penalties for violation thereof.

With a Committee Amendment thereto.

H. B. 81. An Act providing for a fishing license, for a closed season on fishing, for a bag limit and a length limit for black bass, crappie and trout, defining minnow seines and minnows, and providing penalties for violation thereof, and prohibiting the sale or offering for sale of black bass and crappie.

H. B. 156. An Act to amend and re-enact sections 1954c-9, 1954c-10, 1954c-23, Kentucky Statutes, Carroll's Edition, as amended by chapter 93 of the Acts of 1926, providing penalties for trespass on game preserves, increasing the percentage of the game and fish protection fund which may be expended each year for conducting fish hatcheries and game preserves, providing that conviction for violation of the game and fish law shall forfeit the license held by the person convicted and suspend such person from securing a license for one year, and reducing the amount of non-resident hunters, license to Ten Dollars and Fifty cents.

By Mr. Meiman of the Committee on Insurance, Fire and Marine:

H. B. 22. An Act conferring the right in an action to recover for a tort or negligence to sue the insurance company

indemnifying another corporation or person against loss or damage by reason of such tort or negligence, either jointly with such person so indemnified or separately.

By Mr. S. K. Hollan of the Committee on Kentucky Statutes:

H. B. 39. An Act to repeal and re-enact section 2118, Kentucky Statutes, 1915 Edition, relating to remarriage of a divorced person.

H. B. 95. An Act to repeal, amend and re-enact sections 1 and 2 of chapter 11, of the Acts of 1896, approved March 17, 1896, for the protection of purchasers, lessees and encumbrancers of real estate.

H. B. 43. An Act entitled An Act to amend and re-enact sections 498 and 498a of Kentucky Statutes, 1915, compiled by the Hon. John D. Carroll, relating to release and assignment of lien mortgage notes, defining the clerk's duties and providing fees therefor.

By Mr. Fowler of the Committee on Military Affairs:

H. B. 114. An Act to assist disabled ex-service men and women of the World War in obtaining from the federal government the relief authorized by Acts of Congress, continuing in existence for that purpose the Kentucky Disabled Ex-Service Men's Board and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said board, and declaring an emergency to exist.

With the expression of opinion that they ought to pass.

By Br. Back of the Committee on Public Safety:

H. B. 61. An Act relating to the operation of motor vehicles by nonresidents of the Commonwealth on its public

highways; to actions founded on accidents arising from such operation; to the manner of service of process in such actions; and to duties of Circuit Court Clerks in reference thereto.

H. B. 33. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth, providing for the issual and revocation of same, and recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

H. B. 10. An Act relating to live stock, and vehicles, other than motor vehicles, while being used or operated on public highways, regulatnig lights.

Without expression of opinion as to the last named three bills.

Said bills were severally read at length the first time and ordered to be placed in the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 120. An Act to amend "An Act to amend and reenact section 911 of the Kentucky Statutes, Carroll's Edition, 1915, relating to official indexers" approved March 23, 1920, being section 911 of Carroll's Kentucky Statutes, 1922 Edition.

Ordered that said bill be read the second time.

The constitutional provision as to the second reading of said bill at length being dispensed with, said bill was read the second time by its title only.

Ordered that said bill be placed in the Orders of the Day.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 20. An Act to amend an Act relating to the holding of circuit court in the Thirty-first Judicial District.

Mr. Lewis moved that said bill lie on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 42. An Act to provide for the submission to the voters of this State of a constitutional amendment permitting in the future the submission of a greater number than two amendments to the Constitution to be voted on at any one time.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Three-fifths of all members elected to each House of this General Assembly having agreed to the following amendment to the Constitution of Kentucky, said amendment shall be submitted to the voters of the state, which said amendment as proposed is in words and figures as follows, to-wit:

“Hereafter there may be submitted to be voted on at any one time as many proposed amendments to the Constitution of Kentucky as the General Assembly may see fit to submit; but said proposed amendments shall be submitted in accordance with the provisions of section 256 of the Constitution of Kentucky, which said section of the Constitution is modified by this amendment only to the extent that the limitation is removed on the number of proposed amendments which may be voted on at any one time.”

§ 2. Said amendment shall be submitted to the voters of this state at the next general election for members of the House of Representatives of this state, in accordance with the provisions of section 256 of the Constitution of Kentucky and the statutes passed pursuant thereto.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. M. Duncan	Phillip Helf
A. L. Allen	Thos. J. Dunn	J. R. Hobbs
S. E. Anderson	D. E. Edwards	J. S. Hollan
W. B. Ardery	J. W. Edwards	H. B. Holland
W. O. Bach	J. O. Evans	S. K. Holland
Walter J. Bailey	Virgil Eversole	Ira L. Horn
W. O. Baxter	W. J. Fisher	Robt. L. Horn
T. H. Benton	J. C. Flener	Josephus Howard
W. P. Bowman	Duke W. Fowler	W. F. Hunter
Thos. L. Britton	Chas. B. Fulton	Lester Jeter
S. J. Bunger	J. B. Furlong	T. M. Johnson
Sam P. Burnam	F. A. Gnau	John C. Kemper
E. L. Campbell	R. C. Graham	John B. Klefot
J. G. Campbell	E. L. Hagan	Porter J. Land
Chas. B. Carver	A. L. Hall	S. D. Laughlin
Harry Cochran	John G. B. Hall	Leon P. Lewis
John Cooper	T. W. Hardesty, Jr.	J. L. McKnight
J. O. Creech	Herman Handmaker	Clark Macdonald
C. B. Crossland	Brooks L. Hargrove	Luther Morse
J. R. Dorman	C. W. Hawkins	C. C. May
E. J. Doss	Joseph M. Hayse	Henry Meiman

A. M. Mercer	B. A. Robertson	Mac Swinford
Harry J. Meyers	C. W. Ryans	J. B. Taylor
E. B. Miller	Charles Smith	E. G. Thomas
L. P. Murphy	Daniel Boone Smith	C. F. Thornton
James H. Muse	S. G. Smith	P. H. Vincent
Andrew Nichols	M. E. Sparks	J. C. Watkins
Levi W. Powell	Dan Stamper	L. M. Weathers
J. G. Prather	Frank L. Strange	J. A. White
W. H. Pryor	J. G. Swearingen	—89

Those who voted in the negative were—

A. J. Baldridge	W. T. Green	L. C. Nell
Chas. H. Fair		—4

Resolved that the title thereof be as aforesaid.

Mr. Lewis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Gnau moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, JANUARY 25, 1928.

The House was opened with prayer by the Reverend J. E. Moss, of the Methodist Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Duke W. Fowler	C. C. May
A. L. Allen	Chas. B. Fulton	Henry Meiman
S. E. Anderson	J. B. Furlong	A. M. Mercer
W. B. Ardery	F. A. Gnau	Harry J. Meyers
W. O. Bach	R. C. Graham	E. B. Miller
Walter J. Bailey	E. L. Hagan	L. P. Murphy
A. J. Baldridge	A. L. Hall	James H. Muse
W. O. Baxter	John G. B. Hall	L. C. Nell
T. H. Benton	T. W. Hardesty, Jr.	Andrew Nichols
W. P. Bowman	Herman Handmaker	J. H. Payne
Thos. L. Britton	Brooks L. Hargrove	Levi W. Powell
W. G. Buckner	C. W. Hawkins	J. G. Prather
S. J. Bunger	Joseph M. Hayse	W. H. Pryor
Sam P. Burnam	Phillip Helf	B. A. Robertson
E. L. Campbell	J. R. Hobbs	C. W. Ryans
J. G. Campbell	J. S. Hollan	Charles Smith
Chas. B. Carver	H. B. Holland	Daniel Boone Smith
Harry Cochran	S. K. Holland	S. G. Smith
John Cooper	Ira L. Horn	M. E. Sparks
J. O. Creech	Robt. L. Horn	Dan Stamper
C. B. Crossland	Josephus Howard	Frank L. Strange
J. R. Dorman	W. F. Hunter	J. G. Swearingen
E. J. Doss	Lester Jeter	Mac Swinford
W. M. Duncan	John C. Kemper	J. B. Taylor
Thos. J. Dunn	John B. Klefot	E. G. Thomas
D. E. Edwards	Porter J. Land	C. F. Thornton
J. W. Edwards	S. D. Laughlin	P. H. Vincent
J. O. Evans	Leon P. Lewis	J. C. Watkins
Virgil Eversole	Wm. McClave	L. M. Weathers
Chas. H. Fair	J. L. McKnight	J. A. White
W. J. Fisher	Clark Macdonald	
J. C. Flener	Luther Morse	

Mr. Hawkins moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman moved that Billy Montrose Weathers be made an Honorary Page for the session.

Said motion was agreed to.

Mr. Meyers moved that the privileges of the floor be extended to Mr. Eddie Webber.

Said motion was agreed to.

Upon a call of the Counties and the Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Horn:

H. B. 309. An Act to establish a road from Scottsville to Fountain Run by the way of Maynard as a part of the Primary System of State Highways.

To Committee on Roads and Highways No. 2.

By Mr. Fisher:

H. B. 310. An Act to establish State primary road project No. ——— from Glasgow, Ky., county seat of Barren County to Fountain Run, Ky.

To Committee on Roads and Highways No. 2.

By Mr. Hunter:

H. B. 311. An Act to provide for the sexual sterilization of inmates of State Institutions in certain cases and to provide for procedure to protect the rights of such inmates.

To Committee on Public Health.

By Mr. Ardery:

H. B. 312. An Act providing for the quarantine and control of the European Corn Borer; imposing certain powers and duties on the Department of Agriculture; providing penalties; providing an appropriation for carrying out the provisions of the same.

To Committee on Agriculture.

By Mr. Kemper:

H. B. 313. An Act authorizing the clerks of Circuit Courts to collect judgments of said courts and receipt for said collections and enter satisfaction of such judgments on margin of order book and to make distributions according to judgment and to collect and make distributions of all costs and to be liable for such collections on his official bond.

To Committee on Circuit Courts.

By Mr. Kemper:

H. B. 314. An Act amending section 9, chapter 86, Acts of the General Assembly of the Commonwealth of Kentucky for 1926, relating to superintendence certificates and the qualifications of County School Superintendents.

To Committee on Education No. 2.

By Mr. Robertson:

H. B. 315. An Act to amend and re-enact section 331e-5 Kentucky Statutes Edition 1922 relating to the trial of juvenile offenders and allowing an appeal from the judgment of the juvenile court in such cases.

To Committee on County and City Courts.

By Mr. Green:

H. B. 316. An Act placing a road in Garrard County upon the Highway System.

To Committee on Roads and Highways No. 3.

By Mr. Handmaker:

H. B. 317. An Act to amend section 1246, subsection 1, Kentucky Statutes Carroll's Edition. Relating to sale of animals, etc.

To Committee on Agriculture.

By Mr. Meyers:

H. B. 318. An Act to amend section 4237-1 relating to insurance.

To Committee on Insurance, Life and Casualty.

By Mr. Meyers:

H. B. 319. An Act to amend section 1954b-11, 1954b-17, 1954b-18, Kentucky Statutes, Carroll's 1922 Edition, changing the closed season on certain fur-bearing animals, providing that one-half of certain fines shall be credited to the Game and Fish Commission, and enacting new sections for a license and license tags for trappers and a license for fur-dealers and making it unlawful for fur-dealers to have in possession certain raw furs before November 15th, 1922, and providing penalties for violations thereof.

To Committee on Fish and Game.

By Mr. Meyers:

H. B. 320. An Act to license and regulate the business of making loans in sume of three hundred dollars (\$300.00) or less, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest than six per cent. per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries earned or to be earned, when given as security for any such loan, etc.

To Committee on Kentucky Statutes.

By Mr. Burnam:

H. B. 321. An Act to amend section 691 of the Kentucky Statutes, relating to the time for filing of annual statements by insurance companies other than life, and to amend section 4229 (1) of the Kentucky Statutes relating to the time of paying taxes by insurance companies other than life.

To Committee on Insurance, Fire and Marine:

By Mr. Burnam:

H. B. 322. An Act to amend and re-enact section 717 of the Kentucky Statutes, John D. Carroll's Edition, relating to the examination of assessment fire insurance companies.

To Committee on Insurance, Fire and Marine.

By Mr. May:

H. B. 323. An Act to amend and re-enact Section 2 of Chapter 52 of the Acts of the General Assembly of 1926 and fix the maximum per diem and expenses that any county board

member may draw in any one year at one hundred dollars (\$100.00).

To Committee on County and City Courts.

By Mr. Charlie Smith:

H. B. 324. An Act to amend Section 2117, Kentucky Statutes, Carroll's Edition 1922, Act of May 16, 1893.

To Committee on Kentucky Statutes.

By Mr. Holland:

H. B. 325. An Act to prevent the sale or lease or disposal of any system of waterworks, gas or electric lighting system, or the sale or disposal of a franchise for furnishing water, gas or electric current in cities of the Fourth Class, without the assent of two-thirds of the voters of said city therefor at an election for that purpose and providing for such an election.

To Committee on Public Utilities.

By Mr. Holland:

H. B. 326. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of 1920, which is Section 4356t-5 of Carroll's 1922 Ky. Statutes, relating to roads and highways and establishing and creating Project No. 2¾.

To Committee on Roads and Highways No. 3.

By Mr. J. B. Taylor:

H. B. 327. An Act to amend and re-enact Chapter 153, Acts 1924, relating to roads and bridges.

To Committee on Roads and Highways No. 3.

The Committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Fisher of the Committee on Roads and Highways No. 3:

H. B. 145. An Act relating to roads and bridges, and establishing as a part of the Primary System of State Highways, a road leading from Ebenezer Church, in Muhlenberg County, Kentucky to Beech Creek Junction, Kentucky, and designating same as State Project No. —.

H. B. 166. An Act to establish a new State Primary Road Project.

H. B. 146. An Act relating to roads and bridges, and establishing as a part of the Primary System of State Highways, a road leading from Graham, Kentucky, to Earls, Kentucky, and designating same as Project No. —.

H. B. 97. An Act establishing a road from Marion, Crittenden County, to the landing opposite Elizabethtown, Hardin County, Illinois, as a part of the Primary System of State Highways to be known as Project —.

H. B. 98. An Act establishing a road from Marion in Crittenden County to Shady Grove, Crittenden County, and Providence, Webster County, as a part of the Primary System of State Highways to be known as Project No. 108a.

H. B. 96. An Act to establish a State Primary Road project, to be known as Project No. —, beginning at the intersection of State Projects Nos. 23, 27, and 40, as established by the Act of March 16, 1920, at Albany, Clinton County;

thence running southwestwardly in Clinton County to the Kentucky and Tennessee State line near Lilydale, Tennessee.

H. B. 149. An Act establishing as a part of the Primary System of State Highways a road leading from Rochester, Kentucky, to Livermore, Kentucky, by way of Echols and Centertown.

H. B. 157. An Act establishing and making the road leading from Highway No. 60 in Simpsonville, Shelby County, Kentucky, via the Simpsonville and Antioch road to Eminence, Henry County, Kentucky, as a part of the primary system of State Highways of the Commonwealth of Kentucky and designating said road as Project No. —.

H. B. 88. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways, a road leading from Dam No. 38 McVile, via Rabbit Hash, through East Bend, Big Bone, via Huey's Corner near Grange Hall to Union, all in Boone County, Kentucky, and designating same as State Project No. 5 A-4.

H. B. 90. An Act relating to roads and bridges and establishing as a part of the primary system of State Highways a road leading from Burlington to the Ohio River road in Carlton precinct in Boone County, Kentucky, and designating same as Project No. 5 A-3.

H. B. 87. An Act relating to roads and bridges and establishing as a part of the primary system of State Highways a road leading from Hebron to the Burlington and Florence road in Boone County, Kentucky, and designating same as State Project No. 103-A.

H. B. 89. An Act relating to roads and bridges and establishing as a part of the primary system of State Highways a road leading from Burlington to a point at or near Idlewild

in Boone County and designating the same as State Project No. 103 A-2.

H. B. 86. An Act relating to roads and bridges and establishing as a part of the primary system of State Highways a road leading from Verons to the Florence Warsaw road in Boone County, Kentucky, and designating same as State Project No. 13-A.

H. B. 50. An Act to amend Project No. 34 of Section 5 of Chapter 17 of the Acts of the General Assembly of Kentucky of 1920, which is now Section 4356t-5 of Carroll's Kentucky Statutes, 1922 Edition, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same, by adding thereto and extending said Project No. 34 from the mouth of Wolf Creek up Tug River via Oppy to Wince Block just above the Henry Stepp Branch.

H. B. 82. An Act relating to roads from Elkton to Sharon Grove in Todd County, thence to Lewisburg in Logan County.

H. B. 83. An Act relating to roads and highways and creating a road from Trenton, Kentucky, to the Tennessee State line.

H. B. 78. An Act to amend Sec. 5, Project 32, of Chapter 17 of the Acts of the General Assembly of 1920.

H. B. 85. An Act relating to roads and bridges and establishing as a part of the primary system of State Highways a road leading from the Florence Warsaw road near Florence, or at Florence, to the road leading from Covington to Constance in Boone County, Kentucky, and designating same as State Project No. 13-13.

H. B. 2. An Act to add additional road projects to the primary system of State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

H. B. 54. An Act establishing a State Primary Road Project leading from Paintsville, Johnson County, to Raylton, Magoffin County.

H. B. 53. An Act establishing and making the road beginning at the Mayo Trail, Project No. — at the Walker place in Johnson county and extending via Sitka and Sip, Kentucky, to Project No. — in Lawrence County, a part of the primary system of State Highways of the Commonwealth of Kentucky and designating said road as Project No. —.

H. B. 56. An Act to establish a State Primary Road Project from Project No. 34 near Paintsville, in Johnson County, Kentucky, via Davis branch and the Big Sandy River to intersection of State Highway Project No. 39 and 195.

H. B. 52. An Act establishing a road project from the Mayo Trail via White House depot so as to intersect with the Garrett Highway, Project No. 34, at the head of Lick Creek.

H. B. 28. An Act creating a new Primary Road Project between Four Corners on the Salt River road and extending thence and intersecting with the Dixie Highway north of Elizabethtown, Kentucky.

H. B. 32. An Act relating to roads and highways, describing and fixing a project to be added to the Primary System of roads and highways.

H. B. 29. An Act creating a new Primary road project to be known as State Primary Road Project — to begin at the terminus of the present survey of the Cecelia and Gar-

field road and running thence across the Hardin County line to Dyer in Breckinridge County, Kentucky. .

H. B. 51. An Act relating to roads and bridges and establishing a new project to be a part of the State Primary System of roads, beginning at the Garrett Highway at or near the mouth of Lick branch and extending to Tug River at or near the West Virginia highway.

H. B. 55. An Act establishing a State Primary Road project from the Mayo Trail, Lawrence County, to Stidham, Martin County.

H. B. 161. An Act to establish a new State Primary Road leading from Liberty, Casey County, Kentucky, by the way of Dry Ridge, Lawhorn Hill, and Trace Fork Pike to Yosemite, Casey County, Kentucky, and to be known as "The Rains Trail."

H. B. 160. An Act to establish a new State Primary Road leading from Jacktown, Casey County, Kentucky, via of Chilton, Ellisburg, to Hustonville, Lincoln County, Kentucky.

H. B. 210. An Act to establish and create Project — as a part of the Primary System of roads and highways of the State of Kentucky.

H. B. 240. An Act adding and establishing as a part of the Primary System of State Highways a road from Waco, Madison County, via College Hill, to mouth of the Red River.

H. B. 241. An Act adding and establishing as part of the Primary System of State Highways a road from Richmond, Madison County, via Barns Mill and Curtis turnpike to Round Hill, thence via Kirksville and Kentucky River turnpike, via

Cottonburg and Edenton to Hunters Ferry on Kentucky River.

H. B. 238. An Act to amend and re-enact "An Act to amend and re-enact 'An Act to establish Project — as a part of the Primary System of roads and highways of the State of Kentucky,' " Chapter 254 of the Acts of the General Assembly of Kentucky, 1924.

H. B. 237. An Act establishing and making a road from Project 3 at Smithtown to Project 62 via Trappist, Kentucky, a part of the Primary System of State Highways, and designating said project as Project —

H. B. 201. An Act relating to the Primary System of roads in Kentucky.

H. B. 202. An Act relating to the Primary System of Roads in Kentucky.

H. B. 144. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways, a road leading from Central City, Kentucky, via Kinchelo's Bluff to Centertown, Kentucky, and designating same as State Project —.

H. B. 157. An Act relating to roads and bridges and establishing as a part of the Primary System of State highways a road leading from Walton via Beaver to Big Bone in Boone County, Kentucky, and designating same as Project No. 5A-2.

H. B. 155. An Act relating to roads and bridges and amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as Project — a State Aid Inter-county seat road from Taylorsville, Spencer County, Kentucky, to Lawrenceburg, Anderson County, Kentucky.

H. B. 154. An Act to establish State Primary Road Project —, beginning at Greenwood in Warren County, thence with the old Scottsville road via Drake, Boyce, Trammel to Scottsville in Warren and Allen Counties.

H. B. 148. An Act relating to roads, bridges and highways.

H. B. 162. An Act relating to roads and bridges, and amending Chapter 191, Acts of General Assembly 1924, by striking therefrom the limitations regarding time of construction placed upon Project No. 83.

H. B. 147. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways, a road leading from Drakesboro, Kentucky, to Echols, Kentucky, via Paradise, Kentucky, and designating same as State Project —.

H. B. 164. An Act to establish a new State Primary road project.

H. B. 14. An Act relating to roads and bridges and highways and establishing as a part of the Primary road system of the Commonwealth of Kentucky, a road leading from Hesland, Monroe County, to Raydure, Monroe County.

H. B. 181. An Act to establish State Primary Road Project — from Bowling Green in Warren County, Kentucky, to Woodbury in Butler County, Kentucky.

H. B. 239. An Act establishing and making a road from Holy Cross, Marion County, Kentucky, to Buffalo, Larue County, Kentucky, via New Hope, Gleanings, Stile and near Howardstown, as a part of the Primary System of State Highways, and designating said project as Project —.

H. B. 213. An Act relating to roads and bridges and establishing and creating a road project — extending from a point on Project 8 at or near Nick Mills in Meade County, to a point on Project 198 between Tom Hobbs' place and the Hall schoolhouse in Meade County, as a State Primary road.

H. B. 242. An Act to amend and re-enact Chapter 17 of the Acts of the General Assembly of Kentucky of 1920, Section 4356t-5 Kentucky Statutes, Carroll's 1922 Edition, as amended, relating to public roads, bridges and highways, by adding thereto a new project to be designated as Project No. 29a.

H. B. 169. An Act creating and establishing as a part of the State Primary System of public roads the road leading from Jewel City to Madisonville in Hopkins County.

H. B. 209. An Act to establish and create Project — as a part of the Primary System of roads and highways of the State of Kentucky.

H. B. 195. An Act relating to roads and highways.

H. B. 203. An Act relating to the Primary System of roads in Kentucky.

H. B. 204. An Act relating to the Primary System of roads in Kentucky.

H. B. 165. An Act to establish a new State Primary Road Project.

H. B. 170. An Act creating and establishing as a part of the State Primary System of roads, the road leading from Hanner's Bridge over Pond River, in Hopkins County, to Princeton in Caldwell County.

H. B. 215. An Act establishing State Primary Road Project — from Wisdom, Metcalfe County, Kentucky, via Randolph, to a point in the Burkesville-Glasgow road, approximately 7 miles.

H. B. 142. An Act relating to roads and highways and establishing as a part of the Primary Road System of the Commonwealth of Kentucky a road leading from Gamaliel, Monroe County, Kentucky, to the Kentucky-Tennessee State line.

By Mr. Edwards of the Committee on Public Bridges and Ferries.

H. B. 47. An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams so as to connect such cities with the adjoining State; providing for a Commission in such cities of the first class to construct, operate, control and maintain such bridges and fixing the powers and duties of such commission and providing for the issuance of revenue bonds of such cities to pay the cost thereof payable solely through the bridge tolls without the incurrence of indebtedness of any such city.

By Mr. Meyers of the Committee on Cities of the 2nd and 3d Class:

H. B. 19. An Act to provide for the construction of sewers in cities of the third class and the payment of same by general taxation or at the cost of the property owners, etc.

H. B. 205. An Act to amend an Act creating the office of District Detective to the Commonwealth's Attorney in counties containing cities of the second class in which there is located Circuit Courts of continuous session.

H. B. 110. An Act to repeal an Act entitled "An Act providing for the better government, administration and discipline of the police and fire departments of cities of the third class, and to create and perpetuate a pension fund for disabled police and firemen in such cities, their widows and children and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after service of a term of years, and to provide revenue for the same," which Act was approved March 25, 1926, and is now Chapter 132 of the Acts of the General Assembly of 1926.

H. B. 131. An Act to amend and re-enact Section 3142b.4 of the Edition of the Kentucky Statutes compiled and edited by John D. Carroll.

By Mr. Cochran of the Committee on Cities of the 5th and 6th Class.

H. B. 100. An Act to repeal the Charter of Martinsburg, Elliott County, Kentucky.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Payne of the Committee on Roads and Highways No. 1, to which the same had been previously referred, reported a bill entitled:

H. B. 172. An Act regulating the placing of advertisement or printed matter on roads and providing for penalties for the violation of same.

With the expression of opinion that said bill ought not to pass.

No motion having been made to advance said bill to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken by the House on said bill, it was ordered that said bill be rejected.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 5. An Act to amend an Act relating to the holding of Circuit Courts in 31st Judicial District.

H. B. 178. An Act to create and to authorize the purchasing, acquiring and maintaining of a State School Text Book Printery and Bindery, and providing for the operation thereof, the employment of an editor and publisher of School Text Books for the use of the Common Schools of this Commonwealth, etc.

H. B. 12. An Act to amend and re-enact Sections 1938a-1, 1938a-4, Kentucky Statutes, Carroll's 1922 Edition, and Sections 1938a-6, and 1938a-16, Kentucky Statutes, Carroll's 1922 Edition, as amended by Chapter 133 of the Acts of 1924, changing the closed season on quail, providing a bag limit on squirrels, extending the closed season on wild turkey, Hungarian partridge, deer and elk, and providing an open season for imported pheasants, fixing hours of the day within which doves may be killed in open season, and prohibiting baiting of doves, and providing penalties for violation thereof.

With a Committee Amendment thereto:

H. B. 81. An Act providing for a fishing license, for a closed season on fishing, for a bag limit and a length limit for black bass, crappie and trout, defining minnow seines and

minnows, and providing penalties for violation thereof, and prohibiting the sale or offering for sale of black bass and crappie.

H. B. 156. An Act to amend and re-enact Sections 1954c-9, 1954c-10, 1954c-23, Kentucky Statutes, Carroll's Edition, as amended by Chapter 93 of the Acts of 1926, providing penalties for trespass on game preserves, increasing the percentage of the game and fish protection fund which may be expended each year for conducting fish hatcheries and game preserves, providing that conviction for violation of the game and fish law shall forfeit the license held by the person convicted and suspend such person from securing a license for one year, and reducing the amount of non-resident hunters' license to Ten Dollars and Fifty Cents.

H. B. 22. An Act conferring the right in an action to recover for a tort or negligence to sue the insurance company indemnifying another corporation or person against loss or damage by reason of such tort or negligence, either jointly with such person so indemnified or separately.

H. B. 39. An Act to repeal and re-enact Section 2118, Kentucky Statutes, 1915 Edition, relating to remarriage of a divorced person.

H. B. 95. An Act to repeal, amend and re-enact Sections 1 and 2 of Chapter 11, of the Acts of 1896, approved March 17, 1896, for the protection of purchasers, lessees and encumbrancers of real estate.

H. B. 43. An Act entitled An Act to amend and re-enact Sections 498 and 498-A of Kentucky Statutes, 1915, compiled by the Hon. John D. Carroll, relating to release and assignment of lien and mortgage notes, defining the clerk's duties and providing fees therefor.

H. B. 114. An Act to assist disabled ex-service men and women of the World War in obtaining from the Federal Government the relief authorized by Acts of Congress, continuing in existence for that purpose the Kentucky Disabled Ex-Service Men's Board and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said board, and declaring an emergency to exist.

H. B. 61. An Act relating to the operation of motor vehicles by non-residents of the Commonwealth on its public highways; to actions founded on accidents arising from such operation; to the manner of service of process in such actions; and to the duties of Circuit Court Clerks in reference thereto.

H. B. 33. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth, providing for the issuance and revocation of same, and recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

H. B. 10. An Act relating to live stock, and vehicles, other than motor vehicles, while being used or operated on public highways, regulating lights.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

A message was received from the Senate announcing that they had passed a bill which originated in that body entitled:

S. B. 33. An Act creating the office of Purchasing Agent in counties containing cities of the first class, defining his duties and fixing his salary.

Ordered that said bill be printed and referred to the Committee on Kentucky Statutes.

The hour of 11 o'clock A. M. having arrived, that being the hour fixed for the execution of the Joint Special Order of the Day, viz.: the election of a State Librarian to succeed Mrs. J. Campbell Cantrill, whose term of office will expire on the first Monday in June, 1928,

The Senate of Kentucky, in order, entered upon the floor of the hall of the House of Representatives and in pursuance of a concurrent resolution adopted by this House on January 18, 1928, and concurred in by the Senate on January 20, 1928, the Hon. James Breathitt, Jr., Lieutenant Governor and President of the Senate, took the Chair and presided; the Hon. John S. Milliken, Speaker of the House of Representatives, took his seat on the left of the Lieutenant Governor.

The two Houses of the General Assembly were convened in Joint Assembly, the same being composed of a majority of all the members elected to each House.

The roll was called and the following Senators and Representatives answered to their names, viz.:

In Senate.

S. W. Adams	W. A. Burkamp	Pal Garner
C. D. Asbury	H. M. Cline	Otto C. Gartin
Clarence Bartlett	Frank Dacher	R. E. Glenn
H. M. Brock	W. H. Davis	C. O. Graves
O. Houston Brooks	Garth K. Ferguson	J. W. Howard
O. V. Brown	H. D. Fitzpatrick	L. C. Littrell
Wallace Brown	P. B. Gaines	J. J. McBrayer

C. K. Oldham	W. V. Richardson	E. C. Walker
W. A. Perry	Lewis Ryans	J. K. Waller
E. A. Pollard	J. L. Thurmond	Frank M. White
J. V. Poole	T. O. Turner	W. A. Yates
C. M. C. Porter	B. M. Vincent	A. W. Young

In House.

J. Curtis Alcock	Chas. B. Fulton	Luther Morse
A. L. Allen	J. B. Furlong	Henry Meiman
S. E. Anderson	F. A. Gnau	A. M. Mercer
W. B. Ardery	R. C. Graham	Harry J. Meyers
W. O. Bach	W. T. Green	E. B. Miller
Walter J. Bailey	E. L. Hagan	L. P. Murphy
A. J. Baldridge	A. L. Hall	James H. Muse
W. O. Baxter	John G. B. Hall	Andrew Nichols
T. H. Benton	T. W. Hardesty, Jr.	J. H. Payne
W. P. Bowman	Herman Handmaker	Levi W. Powell
Thos. L. Britton	Brooks L. Hargrove	J. G. Prather
W. G. Buckner	C. W. Hawkins	W. H. Pryor
S. J. Bunger	Phillip Helf	B. A. Robertson
Sam P. Burnam	J. R. Hobbs	C. W. Ryans
E. L. Campbell	J. S. Hollan	Charles Smith
J. G. Campbell	H. B. Holland	Daniel Boone Smith
Chas. B. Carver	S. K. Holland	S. G. Smith
Harry Cochran	Ira L. Horn	M. E. Sparks
John Cooper	Robt. L. Horn	Dan Stamper
C. B. Crossland	Josephus Howard	Frank L. Strange
J. R. Dorman	W. F. Hunter	J. G. Swearingen
E. J. Doss	Lester Jeter	Mac Swinford
W. M. Duncan	T. M. Johnson	J. B. Taylor
Thos. J. Dunn	John C. Kemper	E. G. Thomas
D. E. Edwards	John B. Klefot	C. F. Thornton
J. W. Edwards	Porter J. Land	P. H. Vincent
J. O. Evans	S. D. Laughlin	J. C. Watkins
Virgil Eversole	Leon P. Lewis	L. M. Weathers
Chas. H. Fair	J. L. McKnight	J. A. White
J. C. Flener	Clark Macdonald	
Duke W. Fowler	C. C. May	

It appearing that a quorum was present, the Chief Clerk of the House of Representatives read the concurrent resolution providing for the Joint Assembly of the House and Senate in relation to the election of a State Librarian aforesaid.

Thereupon the President of the Senate announced that nominations for said office were now in order.

Senator P. B. Gaines named Mrs. J. Campbell Cantrill of the County of Scott as a suitable person to fill said office.

Senator Hiram Brock, on the part of the minority of the Senate, seconded the nomination aforesaid, and Mr. C. W. Ryans, on the part of the minority of the House seconded said nomination and moved that the nomination of the aforesaid Mrs. J. Campbell Cantrill be made by acclamation.

Said motion was agreed to.

It appearing that Mrs. J. Campbell Cantrill had received all the votes cast by the Senate and House of Representatives, a majority of all the members elected to each House being present and voting,

The Hon. James Breathitt, Jr., Lieutenant Governor and President of the Senate, presiding over the Joint Assembly, announced that the said Mrs. J. Campbell Cantrill was duly and regularly elected to the office of State Librarian for the term of four years, beginning on the first Monday in June, 1928.

The Journals of the two Houses relating to the election of said State Librarian were then read, compared in open session and approved by the Presiding Officers thereof.

Mr. Milliken moved that the Joint Rules of the Senate and House of Representatives governing the Joint Session of

the two Houses for the General Assembly of 1926 be and they are hereby made the Joint Rules of the two Houses for the session of the General Assembly of 1928.

Said motion was agreed to.

Mr. Milliken moved that this Joint Session do now dissolve.

Said motion was agreed to.

Mr. Milliken resumed the Chair and called the House to order.

Mr. Prather moved that a resolution providing for the payment of the expenses of Contestant and Contestee in the matter of Mercer vs. Shuffett, pending and decided in the House of Representatives of the Commonwealth of Kentucky, which was laid on the Clerk's desk on January 18, be taken therefrom for immediate consideration.

Said motion was agreed to.

(For Resolution and Amendments, see House Journal of January 18.)

The Amendment by Mr. H. B. Holland to the Amendment as offered by Mr. Prather was disagreed to.

Mr. Ryans offered the following Amendment to the Amendment as offered by Mr. Prather, viz.:

“Amend Amendment No. 1 as offered by Mr. Prather by striking out in said Amendment the figures and words ‘\$200 and \$125 respectively’ and inserting in lieu thereof the words and figures ‘\$300 each.’”

Said Amendment was agreed to.

The yeas and nays being required thereon by Messrs. Vincent and Evans, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Chas. B. Fulton	C. C. May
A. L. Allen	J. B. Furlong	Henry Meiman
S. E. Anderson	F. A. Gnau	A. M. Mercer
W. B. Ardery	E. L. Hagan	Harry J. Meyers
Walter J. Bailey	T. W. Hardesty, Jr.	L. P. Murphy
A. J. Baldridge	Herman Handmaker	J. H. Payne
T. H. Benton	Brooks L. Hargrove	Levi W. Powell
Thos. L. Britton	C. W. Hawkins	B. A. Robertson
W. G. Buckner	Phillip Helf	C. W. Ryans
S. J. Bungler	J. R. Hobbs	Charles Smith
Sam P. Burnam	S. K. Holland	Daniel Boone Smith
E. L. Campbell	Robt. L. Horn	S. G. Smith
J. G. Campbell	Josephus Howard	M. E. Sparks
Harry Cochran	W. F. Hunter	Dan Stamper
J. O. Creech	Lester Jeter	Frank L. Strange
C. B. Crossland	T. M. Johnson	J. G. Swearingen
J. R. Dorman	John C. Kemper	Mac Swinford
Thos. J. Dunn	John B. Klefot	J. B. Taylor
D. E. Edwards	Porter J. Land	E. G. Thomas
J. W. Edwards	Leon P. Lewis	C. F. Thornton
Virgil Eversole	Wm. McClave	L. M. Weathers
Chas. H. Fair	J. L. McKnight	J. A. White
W. J. Fisher	Clark Macdonald	
J. C. Flener	Luther Morse	

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Those who voted in the negative were—

W. O. Bach	W. T. Green	James H. Muse
W. O. Baxter	A. L. Hall	Andrew Nichols
W. P. Bowman	John G. B. Hall	J. G. Prather
John Cooper	J. S. Hollan	W. H. Pryor
E. J. Doss	H. B. Holland	P. H. Vincent
W. M. Duncan	Ira L. Horn	J. C. Watkins
J. O. Evans	S. D. Laughlin	
R. C. Graham	E. B. Miller	

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The Amendment offered by Mr. Prather as amended by the Amendment offered by Mr. Ryans was then agreed to.

The resolution, as amended, was then adopted.

The yeas and nays being required thereon by Messrs. Vincent and Prather, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Duke W. Fowler	C. C. May
A. L. Allen	Chas. B. Fulton	Henry Meiman
S. E. Anderson	J. B. Furlong	A. M. Mercer
W. B. Ardery	F. A. Gnau	Harry J. Meyers
Walter J. Bailey	E. L. Hagan	E. B. Miller
A. J. Baldrige	John G. B. Hall	L. P. Murphy
T. H. Benton	T. W. Hardesty, Jr.	James H. Muse
W. P. Bowman	Herman Handmaker	Andrew Nichols
Thos. L. Britton	Brooks L. Hargrove	J. H. Payne
W. G. Buckner	C. W. Hawkins	Levi W. Powell
S. J. Bunker	Phillip Helf	W. H. Pryor
Sam P. Burnam	J. R. Hobbs	B. A. Robertson
E. L. Campbell	H. B. Holland	C. W. Ryans
J. G. Campbell	S. K. Holland	Charles Smith
Harry Cochran	Ira L. Horn	Daniel Boone Smith
John Cooper	Robt. L. Horn	S. G. Smith
J. O. Creech	Josephus Howard	M. E. Sparks
C. B. Crossland	W. F. Hunter	Dan Staniper
J. R. Dorman	Lester Jeter	Frank L. Strange
E. J. Doss	T. M. Johnson	J. G. Swearingen
Thos. J. Dunn	John C. Kemper	Mac Swinford
D. E. Edwards	Porter J. Land	J. B. Taylor
J. W. Edwards	S. D. Laughlin	E. G. Thomas
J. O. Evans	Leon P. Lewis	C. F. Thornton
Virgil Eversole	Wm. McClave	J. C. Watkins
Chas. H. Fair	J. L. McKnight	L. M. Weathers
W. J. Fisher	Clark Macdonald	J. A. White
J. C. Flener	Luther Morse	

Those who voted in the negative were—

W. O. Bach	W. M. Duncan	A. L. Hall
W. O. Baxter	R. C. Graham	J. G. Prather
Chas. B. Carver	W. T. Green	P. H. Vincent

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Mr. Meyers moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Gnau moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, JANUARY 26, 1928.

The House was opened with prayer by the Reverend J. Howard Gibbens of the Protestant Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Thos. L. Britton	C. B. Crossland
A. L. Allen	W. G. Buckner	J. R. Dorman
S. E. Anderson	S. J. Bunker	E. J. Doss
W. B. Ardery	Sam P. Burnam	W. M. Duncan
W. O. Bach	E. L. Campbell	Thos. J. Dunn
Walter J. Bailey	J. G. Campbell	D. E. Edwards
A. J. Baldrige	Chas. B. Carver	J. W. Edwards
W. O. Baxter	Harry Cochran	J. O. Evans
T. H. Benton	John Cooper	Virgil Eversole
W. P. Bowman	J. O. Creech	Chas. H. Fair

W. J. Fisher	Robt. L. Horn	Andrew Nichols
J. C. Flener	Josephus Howard	J. H. Payne
Duke W. Fowler	W. F. Hunter	Levi W. Powell
Chas. B. Fulton	Lester Jeter	J. G. Prather
J. B. Furlong	T. M. Johnson	W. H. Pryor
F. A. Gnau	John C. Kemper	B. A. Robertson
R. C. Graham	John B. Klefot	C. W. Ryans
W. T. Green	Porter J. Land	Charles Smith
E. L. Hagan	Leon P. Lewis	Daniel Boone Smith
A. L. Hall	Wm. McClave	S. G. Smith
John G. B. Hall	J. L. McKnight	M. E. Sparks
T. W. Hardesty, Jr.	Wm. McRohan	Dan Stamper
Herman Handmaker	Clark Macdonald	Frank L. Strange
Brooks L. Hargrove	Luther Morse	J. G. Swearingen
C. W. Hawkins	C. C. May	Mac Swinford
Joseph M. Hayse	Henry Meiman	J. B. Taylor
Phillip Helf	A. M. Mercer	E. G. Thomas
J. R. Hobbs	Harry J. Meyers	C. F. Thornton
J. S. Hollan	E. B. Miller	P. H. Vincent
H. B. Holland	L. P. Murphy	J. C. Watkins
S. K. Holland	James H. Muse	L. M. Weathers
Ira L. Horn	L. C. Nell	J. A. White

Mr. Handmaker moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body, entitled:

S. B. 52. An Act to amend the law relating to Public Ditches and Drains and the maintenance of such ditches, amending Section 2380, subsection 39, Kentucky Statutes.

Ordered that said bill be printed and referred to Committee on Public Ditches.

And that they had passed a resolution which originated in that body, entitled:

S. Res. 8. Resolution allowing the per diem of the late Representative Moorman B. Daniel had he lived to end of session.

Ordered that said resolution be referred to Committee on Rules.

Upon a call of the Counties and Representative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Nell:

H. B. 328. An Act to establish a new State Primary Road, leading from Yuma, Taylor County, Kentucky via Knifeley, Eunice and Neatsville in Adair County, Kentucky to Humble, in Russell County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Vincent:

H. B. 329. An Act to amend Sections 18, 21, 24 and 52 of an act entitled "An Act to provide an elective system of Workmen's Compensation for Industrial Injuries" and known as Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1916, and subsequent amendments thereto, said sections as amended and to be amended being known as Sections 4899, 4902, 4905 and 4935 of Carroll's Kentucky Statutes, sixth edition, 1922.

To Committee on Compensation for Industrial Injuries.

By Mr. J. S. Hollan.

H. B. 330. An Act establishing and creating a road leading from Jackson, Breathitt County, Kentucky, via Guerrant or Highland Institute to Booneville, Owsley County, Kentucky and making it a part of the State System of Primary Roads.

To Committee on Roads and Highways No. 3.

By Mr. Taylor:

H. B. 331. An Act to add to the Primary System of Public Highways a road leading from U. S. Highway No. 60 one mile east of Lewisport, Hancock County, Kentucky, to Knotts bridge on line between Hancock and Daviess Counties, Kentucky, to be known as the Lewisport and Knotts Bridge road.

To Committee on Roads and Highways No. 3.

By Mr. Cochran:

H. B. 332. An Act adding to the Primary System of State Highways a road from Fern Creek, etc., in Jefferson County to Project No. 44 in Anderson County.

To Committee on Roads and Highways No. 3.

By Mr. Hardesty:

H. B. 333. An Act to provide for the regulation and supervision of employment agencies, and to provide generally for the enforcement of this act, and penalties for the violation thereof.

To Committee on Kentucky Statutes.

By same:

H. B. 334. An Act to license fortune telling for reward, providing for supervision thereof, and penalty for the violation of the provisions of this act.

To Committee on Kentucky Statutes.

By Mr. S. G. Smith:

H. B. 335. An Act relating to revenue and taxation; imposing a special excise tax upon sale and or distribution, by gift or sale, in this state of cigarettes, cigarette tubes or holders, cigarette lighters, pocket cigarette cases, cigarette papers or wrappers or any paper made up in packages, books or sets and prepared for the purpose of making and, or smoking cigarettes sold and, or distributed by any person, firm, association, joint stock company, syndicate or corporation in this State; such special excise tax to be used by this Commonwealth; and exempting articles and merchandise taxed under this act from any local special excise tax; providing for the collection of such tax, the use and distribution of the revenue derived therefrom; providing for the administration of said law, fixing the fines and penalties for the violation of this act, methods, means and manner for its enforcement; repealing all laws and parts of laws in conflict with this act.

To Committee on Revenue and Taxation No. 1.

By Mr. Allen:

H. B. 336. An Act creating a new Primary Road Project from Prestonsburg, Floyd County, Kentucky, via Bonanza to Salyersville, Magoffin County, Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 337. An Act to amend Chapter 248 Acts of 1926 relative to roads and highways by adding to them a portion of road beginning at Wheelwright Junction in Floyd County, and running via Abner Creek Fork to Mouth of Indian Creek, Pike County, Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 338. An Act to amend Chapter 248 Acts of 1926, relating to roads and highways by adding to them a portion of road beginning at mouth of Clear Creek on the Haymond highway and running up said creek to Legan, Kentucky, and then across the hill and down Mud to Laynsville to Mayo Trail.

To Committee on Roads and Highways No. 3.

By Mr. Hargrove:

H. B. 339. An Act repealing and re-enacting Section 1961 of Carroll's Kentucky Statutes to prohibit the sale of combinations of French pools, or the operation of pari-mutuel machines.

To Committee on Kentucky Statutes.

By Mr. Pryor.

H. B. 340. An Act creating and establishing a public road from Tar Hill via Clippet Chapel to State Highway 12, and making it a part of the State Primary Road System.

To Committee on Roads and Highways No. 3.

• By same:

H. B. 341. An Act creating and establishing a public road from Yeaman via Spring Lick to State Highway No. 12, and making it a part of the State Primary System.

To Committee on Roads and Highways No. 3.

By Mr. Mercer:

H. B. 342. An Act establishing as a part of the Primary System a road from Cöburg to Project 41, near Caney Fork Creek.

To Committee on Roads and Highways No. 2.

By Mr. Hagan:

H. B. 343. An Act to provide for the distraining for graded common school taxes in graded common school districts other than those in cities of the First, Second, Third and Fourth Class.

To Committee on Education No. 2.

By Mr. Hagan:

H. B. 344. An Act establishing a road from Lebanon Junction in Bullit County to State Project No. 75, known as the Bardstown Road, near the residence of W. L. Olfer in Hardin County by way of Colesburg in Hardin County, as a part of the Primary System of State Highways.

To Committee on Roads and Highways No. 2.

By Mr. Hagan:

H. B. 345. An to establish a connecting link between the Cecilia Garfield Road and the proposed road running from four corners and connecting with the North Dixie Highway in Hardin County, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Prather:

H. B. 346. An Act to provide for primary road beginning at North Pleasureville, in Henry County, Kentucky, and extending to South Pleasureville, in Henry County, Kentucky, and to be known as part of Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. G. B. Hall:

H. B. 347. A bill to authorize the regular Judge of a Quarterly Court to sign unsigned judgments rendered by another Judge of said court.

To Committee on County and City Courts.

By Mr. John G. Hall:

H. B. 348. A bill to amend and re-enact sub-section 1565b of Carroll's Kentucky Statutes 1922 edition relating to the filing of expense accounts of candidates for the nomination and election to office.

To Committee on Suffrage and Elections.

By Mr. Swinford:

H. B. 349. An Act relating to roads and highways and describing and fixing a project to the Primary System of Roads and Highways.

To Committee on Roads and Highways. No. 2.

By Mr. Gnau:

H. B. 350. An Act directing the submission of the repeal of Amendment Number 7 of the Constitution of Kentucky, relating to manufacture, sale and transportation of spirituous, vinous, malt, or other intoxicating liquor in the Commonwealth of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Hayse:

H. B. 351. An Act to amend Section 2948a-1, Kentucky Statutes, Carroll's Edition of 1922, relating to municipal universities in cities of the first class.

To Committee on Cities of First Class.

By Mr. Baldridge:

H. B. 352. An Act to amend Sections 39 and 42 of an act entitled "An Act to provide an elective system of workmen's compensation for industrial accidents," and known as Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1916 and subsequent amendments thereto, said section as amended and to be amended being known as Section 4920 and 4923 of Carroll's Kentucky Statutes sixth edition, 1922.

To Committee on Compensation for Industrial Injuries.

By Mr. Meyers:

H. B. 353. An Act to amend and re-enact Section 4645a of the Kentucky Statutes, Edition of 1922, same being an act relating to the employment of stenographers and clerks by the Governor.

To Committee on Kentucky Statutes.

By Mr. D. B. Smith:

H. B. 354. An Act to impose a special privilege tax upon the sale and distribution by gift or sale in this State of cigars and/or cigarettes sold or distributed by any person in the State; providing methods of enforcing the Act, penalties for violation of its provisions and appropriating the revenues derived therefrom.

To Committee on Revenue and Taxation No. 1.

By Mr. Buckner:

H. B. 355. An Act for the better protection of Game and Fish.

To Committee on Game and Fish.

By Mr. Anderson:

H. B. 356. An Act establishing and creating as a part of the Primary Road System the road leading from Monticello to the Tennessee State Line.

To Committee on Roads and Highways. No. 2

By Mr. Laughlin:

H. B. 357. An Act repealing and re-enacting Section 4356t-8 Kentucky Statutes, Carroll's 1922 Edition relating to

the construction of Primary Roads through cities and towns so that said Section as re-enacted shall provide for the construction of primary roads through cities of the fifth and sixth classes, and providing for the payment of such construction.

To Committee on Roads and Highways No. 1.

By Mr. Laughlin:

H. B. 358. An Act to regulate the Standing of Male Animals for Public Service, specifying the blood lines of same, requiring registration and providing penalty.

To Committee on State Fair.

By Mr. Laughlin:

H. B. 359. An Act relating to Roads and Highways and describing and fixing a project to be added to the State System of Roads and Highways.

To Committee on Roads and Highways.

By Mr. Laughlin:

H. B. 360. An Act to establish as additional Project to the present State Highway System.

To Committee on Roads and Highways No. 2.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Swinford of the Committee on Judiciary:

H. B. 41. An Act to establish the Judicial Council of the Commonwealth and to provide for its duties and expenses.

By Mr. Fowler of the Committee on Military Affairs:

H. B. 244. An Act to repeal and re-enact Chapter 106 of the Acts of 1926 entitled "An Act to assist disabled United Spanish War Veterans and their dependents in obtaining from the Federal Government the relief authorized by acts of Congress, and creating for that purpose a voluntary commission, and providing for its office expenses and salary of secretary." And providing for taking care of other expenses and making appropriation for all of said purposes.

By Mr. Miller of the Committee on State Fair:

H. B. 14. An Act to appropriate Five Thousand Dollars (\$5,000.00) a year for each of the fiscal years, 1927-1928; and 1928-1929 to the Kentucky State Fair for the purpose of meeting premium expenses of the said State Fair in promoting livestock contests for boys' and girls' club work and adult feeders in this Commonwealth, and providing for the apportionment of eighty (80%) per cent, or more, of said appropriation to boys' and girls' club work and twenty (20%) per cent, or less, of said appropriation to adult feeders, and providing for reports to the Auditor.

H. B. 236. An Act authorizing and empowering the State Board of Agriculture to anticipate the receipts and borrow money for the current expenses of the Kentucky State Fair.

With the expression of opinion that said bills ought to pass. Said bills were severally read at length the first time and ordered to be placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 145. An Act relating to roads and bridges, and establishing as a part of the Primary System of State High-

ways, a road leading from Ebenezer Church, in Muhlenberg County, Kentucky to Beech Creek Junction, Kentucky and designating same as State Project No. —.

H. B. 166. An Act to establish a new State Primary Road Project.

H. B. 146. An Act relating to roads and bridges, and establishing as a part of the Primary System of State Highways, a road leading from Graham, Kentucky to Erls, Kentucky, and designating same as Project No. —.

H. B. 97. An Act establishing a road from Marion, Crittenden County, to the landing opposite Elizabethtown, Hardin County, Illinois, as a part of the Primary System of State Highways to be known as Project —.

H. B. 98. An Act establishing a road from Marion in Crittenden County to Shady Grove, Crittenden County, and Providence, Webster County, as a part of the Primary System of State Highways to be known as Project No. 108a.

H. B. 96. An Act to establish a State Primary Road project, to be known as Project No. —, beginning at the intersection of State Project Nos. 23, 27 and 40, as established by the Act of March 16, 1920, at Albany, Clinton County; thence running southwestwardly in Clinton County to the Kentucky and Tennessee State line near Lilydale, Tennessee.

H. B. 149. An Act establishing as a part of the Primary System of State Highways a road leading from Rochester, Kentucky to Livermore, Kentucky, by way of Echols and Centertown.

H. B. 157. An Act establishing and making the road leading from Highway No. 60 in Simpsonville, Shelby County, Kentucky, via the Simpsonville and Antioch road to Emi-

nence, Henry County, Kentucky, as a part of the Primary System of State Highways of the Commonwealth of Kentucky and designating said road as Project No. —.

H. B. 88. An Act relating to roads and bridges and establishing as part of the Primary System of State Highways, a road leading from Dam No. 38 McVille, via Rabbit Hash, through East Bend, Big Bond, via Hueys Corner near Grange Hall to Union, all in Boone County, Kentucky and designating same as State Project No. 5 A-4.

H. B. 90. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Burlington to the Ohio River Road in Carlton precinct in Boone County, Kentucky and designating same as Project No. 5 A-3.

H. B. 87. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Hebron to the Burlington and Florence road in Boone County, Kentucky and designating same as State Project No. 103A.

H. B. 89. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Burlington to a point at or near Idlewild in Boone County and designating the same as State Project No. 103 A-2.

H. B. 86. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Vernons to the Florence Warsaw road in Boone County, Kentucky and designating same as State Project No. 13A.

H. B. 50. An Act to amend Project No. 34 of Section 5 of Chapter 17 of the Acts of the General Assembly of

Kentucky of 1920, which is now Section 4356t-5 of Carroll's Kentucky Statutes, 1922, Edition, relating to roads and bridges and establishing a System of Primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same, by adding thereto and extending said Project No. 34 from the mouth of Wolf Creek up Tug River via Oppy to Wince Block just above the Henry Stepp Branch.

H. B. 82. An Act relating to roads from Elkton to Sharon Grove in Todd County, thence to Lewisburg in Logan County.

H. B. 83. An Act relating to roads and highways and creating a road from Trenton Kentucky to the Tennessee State line.

H. B. 78. An Act to amend Section 5, Project 32, of Chapter 17 of the Acts of the General Assembly of 1920.

H. B. 85. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from the Florence-Warsaw road near Florence or at Florence to the road leading from Covington to Constance in Boone County, Kentucky, and designating same as State Project No. 13-13.

H. B. 2. An Act to add additional road projects to the Primary System of State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

H. B. 54. An Act establishing a State Primary road Project leading from Paintsville, Johnson County to Raylton, Magoffin County.

H. B. 53. An Act establishing and making the road beginning at the Mayo Trail, Project No. — at the Walker

place in Johnson County and extending via Sitka and Sip, Kentucky to Project No. — in Lawrence County, a part of the Primary System of State Highways of the Commonwealth of Kentucky and designating said road as Project No. —.

H. B. 56. An Act to establish a State Primary Road project from Projects No. 34 near Paintsville, in Johnson County, Kentucky via Davis Branch and the Big Sandy River to intersection of State Highway Project No. 39 and 195.

H. B. 52. An Act establishing a road project from the Mayo Trail via White House depot so as to intersect with the Garrett Highway, Project No. 34, at the head of Lick Creek.

H. B. 28. An Act creating a New Primary Road Project between Four Corners on the Salt River road and extending thence and intersecting with the Dixie Highway north of Elizabethtown, Kentucky.

H. B. 32. An Act relating to roads and highways, describing and fixing a project to be added to the Primary System of Roads and Highways.

H. B. 29. An Act creating a new primary road project to be known as State Primary Road Project —, to begin at the terminus of the present survey of the Cecelia and Garfield road and running thence across the Hardin County line to Dyer in Breckinridge County, Kentucky.

H. B. 51. An Act relating to roads and bridges and establishing a new project to be a part of the State Primary System of Roads, beginning at the Garrett Highway at or near the mouth of Lick Branch and extending to Tug River at or near the West Virginia highway.

H. B. 55. An Act establishing a State Primary Road project from the Mayo Trail, Lawrence County, to Stidham, Martin County.

H. B. 161. An Act to establish a new state primary road leading from Liberty, Casey County, Kentucky by the way of Dry Ridge, Lawhorn Hill, and Trace Fork pike to Yosemite, Casey County, Kentucky and to be known as "The Rains Trail."

H. B. 160. An Act to establish a new State Primary Road leading from Jacktown, Casey County, Kentucky via of Chilton, Ellisburg, to Hustonville, Lincoln County, Kentucky.

H. B. 210. An Act to establish and create Project — as a part of the Primary System of Roads and Highways of the State of Kentucky.

H. B. 240. An Act adding and establishing as part of the Primary System of State Highways a road from Waco, Madison County, via College Hill to mouth of the Red River.

H. B. 241. An Act adding and establishing as part of the Primary System of State Highways a road from Richmond, Madison County, via Barns Mill and Curtis turnpike to Round Hill, thence via Kirksville and Kentucky River turnpike, via Cottonburg and Edenton to Hunters Ferry on Kentucky River.

H. B. 239. An Act to amend and re-enact "An Act to establish Project — as a part of the Primary System of Roads and Highways of the State of Kentucky," Chapter 254 of the Acts of the General Assembly of Kentucky 1924.

H. B. 237. An Act establishing and making a road from Project 3 at Smittown to Project 62 via Trappist, Kentucky a part of the Primary System of State Highways, and designating said project as Project —.

H. B. 201. An Act relating to the Primary System of roads in Kentucky.

H. B. 202. An Act relating to the Primary System of Roads in Kentucky.

H. B. 144. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways, a road leading from Central City, Kentucky via Kinchelo's Bluff to Centertown, Kentucky and designating same as State Project —.

H. B. 157. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Walton via Beaver to Big Bone in Boone County, Kentucky and designating same as Project No 5A-2.

H. B. 155. An Act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as Project — a State Aid Inter-county seat road from Taylorsville, Spencer County, Kentucky to Lawrenceburg, Anderson County, Kentucky.

H. B. 154. An Act to establish State Primary Road Project — beginning at Greenwood in Warren County, thence with the old Scottsville read via Drake, Boyce, Trammel to Scottsville in Warren and Allen counties.

H. B. 148. An Act relating to roads, bridges and highways.

H. B. 162. An Act relating to roads and bridges, and amending Chapter 191, Acts of General Assembly 1924, by striking therefrom the limitations regarding time of construction placed upon Project No. 83.

H. B. 147. An Act relating to roads and bridges and establishing as a part of the Primary System of State High-

ways a road leading from Drakesboro, Kentucky, to Echols, Kentucky, via Paradise, Kentucky, and designating same as State Project —.

H. B. 164. An Act to establish a new State Primary road Project.

H. B. 14. An Act relating to roads and bridges and highways and establishing as a part of the Primary Road System of the Commonwealth of Kentucky, a road leading from Hestand, Monroe County, to Raydure, Monroe County.

H. B. 181. An Act to establish State Primary Road Project — from Bowling Green in Warren County, Kentucky, to Woodbury in Butler County, Kentucky.

H. B. 239. An Act establishing and making a road from Holy Cross, Marion County, Kentucky, to Buffalo, Larue County, Kentucky, via New Hope, Gleanings Stile and near Howardstown, as a part of the Primary System of State Highways, and designating said project as Project —.

H. B. 213. An Act relating to roads and bridges and establishing and creating a road project extending from a point on Project 8 at or near Nick Mills in Meade County to a point on Project 198 between Tom Hobbs' place and the Hall schoolhouse in Meade County as a State Primary road.

H. B. 242. An Act to amend and re-enact Chapter 17 of the Acts of the General Assembly of Kentucky of 1920, Section 4356t-5 Kentucky Statutes, Carroll's 1922 Edition, as amended relating to public roads, bridges and highways, by adding thereto a new project to be designated as Project No. 29a.

H. B. 169. An Act creating and establishing as a part of the State Primary System of Public Roads the road leading from Jewel City to Madisonville, in Hopkins County.

H. B. 209. An Act to establish and create Project — as a part of the Primary System of Roads and Highways of the State of Kentucky.

H. B. 195. An Act relating to roads and highways.

H. B. 203. An Act relating to the Primary System of roads in Kentucky.

H. B. 204. An Act relating to the Primary System of roads in Kentucky.

H. B. 165. An Act to establish a new State Primary Road Project.

H. B. 170. An Act creating and establishing as a part of the State Primary System of Roads, the road leading from Hanner's Bridge over Pond River in Hopkins County to Princeton in Caldwell County.

H. B. 215. An Act establishing State Primary Road Project — from Wisdom, Metcalfe County, Kentucky, via Randolph to a point in the Burkesville-Glasgow road, approximately 7 miles.

H. B. 142. An Act relating to roads and highways and establishing as a part of the Primary Road System of the Commonwealth of Kentucky, a road leading from Gamaliel, Monroe County, Kentucky, to the Kentucky-Tennessee State line.

H. B. 47. An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams, so as to connect such cities with the adjacent State; providing for a Commission in such cities of the first class to construct, operate, control, and maintain such bridges, and fixing the powers and duties of such commission and providing for the issuance of revenue bonds of such cities to pay the

cost thereof payable solely through the bridge tolls without the incurrence of indebtedness of any such city.

H. B. 19. An Act to provide for the construction of sewers in cities of the third class and the payment of same by general taxation or at the cost of the property owners, etc.

H. B. 205. An Act to amend an Act creating the office of District Detective to the Commonwealth's Attorney in counties containing cities of the second class in which there is located Circuit Courts of continuous session.

H. B. 110. An Act to repeal an Act entitled "An Act providing for the better government, administration and discipline of the police and fire departments of the cities of the third class, and to create and perpetuate a pension fund for disabled police and firemen in such cities, their widows and children and dependent fathers and mothers and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after service of a term of years, and to provide revenue for same," which Act was approved March 25, 1926, and is now Chapter 132 of the Acts of the General Assembly of 1926.

H. B. 131. An Act to amend and re-enact Section 3142-b4 of the Edition of the Kentucky Statutes compiled and edited by John D. Carroll.

H. B. 100. An Act to repeal the charter of Martinsburg, Elliott County, Kentucky.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 120. An Act to amend "An Act to amend and reenact Section 911 of the Kentucky Statutes, Carroll's Edition 1915, relating to the official indexers," approved March 23, 1920, being Section 911 of Carroll's Kentucky Statutes 1922 Edition.

Mr. Gnau moved that said bill be laid on the table.

Said motion was disagreed to.

Mr. Meyers moved that said bill be made a Special Order of this House for next Tuesday, January 31, at 11 o'clock A. M.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill which originated in the Senate, entitled:

S. B. 5. An Act to amend an Act relating to the holding of Circuit Courts in 31st Judicial District.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 29 of the Acts of the General Assembly of the Commonwealth of Kentucky which became a law March 31, 1924, be and the same is amended with reference to the Thirty-first Judicial District of Kentucky, and as amended reads as follows:

Floyd County, at Prestonsburg, Kentucky. That a circuit court shall be held in Floyd County, Kentucky as follows:

At Prestonsburg, Kentucky, beginning on the first Monday in January, and continuing twenty-four (24) juridical days; beginning on the first Monday in March and continuing twenty-four (24) juridical days; beginning on the first Monday in April and continuing twenty-four (24) juridical days; beginning on the second Monday in June and continuing twenty-four (24) juridical days; beginning on the first Monday in September and continuing twenty-four juridical days; and beginning on the first Monday in November and continuing twenty-four (24) juridical days.

Knott County, at Hindman, Kentucky. That a circuit court shall be held in Knott County, Kentucky, as follows:

At Hindman, Kentucky, beginning on the first Monday in February and continuing eighteen (18) juridical days; beginning on the first Monday in May and continuing twenty-four (24) juridical days; beginning on the first Monday in October and continuing twenty-four (24) juridical days.

§ 2. Owing to the congested condition of the docket in said Thirty-first Judicial District, and the inconvenience in connection with the holding of courts in said district as same are now fixed, an emergency is hereby declared to exist and this act will become effective upon its passage and approval by the Governor.

§ 3. All acts and parts of acts in conflict herewith are repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time, by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. B. Furlong	Henry Meiman
A. L. Allen	F. A. Gnau	A. M. Mercer
S. E. Anderson	R. C. Graham	Harry J. Meyers
W. B. Ardery	W. T. Green	E. B. Miller
W. O. Bach	E. L. Hagan	L. P. Murphy
Walter J. Bailey	A. L. Hall	James H. Muse
A. J. Baldrige	John G. B. Hall	L. C. Nell
W. O. Baxter	T. W. Hardesty, Jr.	Andrew Nichols
W. P. Bowman	Herman Handmaker	J. H. Payne
Thos. L. Britton	Brooks L. Hargrove	Levi W. Powell
W. G. Buckner	C. W. Hawkins	J. G. Prather
S. J. Bunger	Joseph M. Hayse	W. H. Pryor
Sam P. Burnam	Phillip Helf	B. A. Robertson
E. L. Campbell	J. R. Hobbs	C. W. Ryans
J. G. Campbell	J. S. Hollan	Charles Smith
Chas. B. Carver	H. B. Holland	Daniel Boone Smith
Harry Cochran	S. K. Holland	S. G. Smith
John Cooper	Ira L. Horn	M. E. Sparks
J. O. Creech	Robt. L. Horn	Dan Stamper
C. B. Crossland	Josephus Howard	Frank L. Strange
E. J. Doss	Lester Jeter	J. G. Swearingen
W. M. Duncan	T. M. Johnson	Mac Swinford
Thos. J. Dunn	John C. Kemper	J. B. Taylor
D. E. Edwards	John B. Klefot	E. G. Thomas
J. W. Edwards	Porter J. Land	C. F. Thornton
J. O. Evans	S. D. Laughlin	P. H. Vincent
Virgil Eversole	Leon P. Lewis	J. C. Watkins
Chas. H. Fair	Wm. McClave	L. M. Weathers
W. J. Fisher	Clark Macdonald	J. A. White
Duke W. Fowler	Luther Morse	
Chas. B. Fulton	C. C. May	

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Resolved that the title thereof be as aforesaid.

Mr. Lewis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, bills of the following titles, viz.:

H. B. 156. An Act to amend and re-enact Sections 1954c-9, 1954c-10, 1954c-23, Kentucky Statutes, Carroll's 1922 Edition, and Section 1954c-25, Kentucky Statutes, Carroll's Edition, as amended by Chapter 93 of the Acts of 1926, providing penalties for trespass on game preserves, increasing the percentage of the game and fish protection fund which may be extended each year for conducting fish hatcheries and game preserves, providing that conviction for violation of the game and fish law shall forfeit the license held by the person convicted and suspend such person from securing a license for one year, and reducing the amount of non-resident hunters' license to Ten Dollars and Fifty Cents.

H. B. 81. An Act providing for a fishing license, for a closed season on fishing, for a bag limit for black bass, crappie and trout, defining minnow seines and minnows, and providing penalties for violation thereof, and prohibiting the sale or offering for sale of black bass and crappie.

H. B. 12. An Act to amend and re-enact Sections 1938a-1, 1938a-5, Kentucky Statutes, Carroll's 1922 Edition, and Sections 1938a-6 and 1938a-16 Kentucky Statutes, Carroll's 1922 Edition, as amended by Chapter 133 of the Acts of 1924, changing the closed season on quail, providing a bag limit on squirrels, extending the closed season on wild turkey, Hungarian partridge, deer and elk, and providing an open season for imported pheasants, fixing hours of the day within which doves may be killed in open season, and prohibiting baiting of doves, and providing penalties for violation thereof.

Mr. Swinford moved that each of said bills in numerical order respectively, be made a Special Order of the Day for next Wednesday, February 1, at 11 o'clock A. M.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 178. An Act to create and to authorize the purchasing, acquiring and maintaining of a State School Text Book Printery and Bindery, and providing for the operation thereof, the employment of an editor and publisher of school text books for the use of the Common Schools of this Commonwealth, and for the purchasing and acquiring copyrights and manuscripts of uncopyrighted school text books for the use of such schools of this Commonwealth, and prescribing the duties of the State Purchasing Commission and of the State Text Book Commission relating thereto, and authorizing the Kentucky Educational Association to participate in the selection of school text books and in the selection of editor and publisher of State School Text Books, and making it unlawful for any person connected with or employed in relation to the printing, binding, editing and publishing School Text Books under this Act, directly or indirectly, to participate in politics, and prescribing penalty therefor, and providing for their removal.

Mr. Nichols moved that said bill lie on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 22. An Act conferring the right in an action to recover for a tort or negligence to sue the insurance company indemnifying another corporation or person against loss or damage by reason of such tort or negligence either jointly with such person so indemnified or separately.

Mr. Graham moved that said bill lie on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 39. An Act to repeal and re-enact Section 2118, Kentucky Statutes, 1915 Edition, relating to remarriage of a divorced person.

Mr. Prather moved that said bill lie on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 95. An Act to repeal, amend and re-enact Sections 1 and 2 of Chapter 2 of the Acts of 1896, approved March 17, 1896, for the protection of purchasers, lessees and encumbrancers of real estate.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of Chapter 11, of the Acts of the General Assembly of Kentucky of 1896, approved March 17, 1896, be repealed, amended and re-enacted so that when said Section is so amended and re-enacted, the same shall read as follows:

That no action, cross-action, counter-claim or other proceeding whatever (save actions for forcible detainer or forcible entry or detainer, hereafter commenced or filed in which the title to, or the possession or use of, or any lien, tax, assessment or charge on real estate, or any interest therein, is

in any manner affected or involved, nor any order or judgment therein, nor any sale or other proceeding thereunder, or any judgment or decree rendered in a District Court of the United States, shall in any manner affect the right, title or interest of any subsequent purchaser, lessee or incumbrancer of such real estate or interest for value and without notice thereof, except from the time when there shall be filed in the office of the clerk of the county court of the county in which such real estate, or greater part thereof, lies, a memorandum stating (one) the number of said action where the action is numbered, and style of such action or proceeding and the court in which it is commenced, or is pending; (two) the name of the person whose right, title, interest in, or claim to, real estate is involved or affected; (three) a description of the real estate in said county thereby affected. Such notice may be filed by any party in interest. No notice shall extend to the interest of any person not designated therein, nor to any real estate or interest except that described therein; and when any amendment is made in such action or proceeding changing the description of the real estate, or interest involved or affected, or extending the claim against the same, the party filing such notice shall file a new notice. Where the real estate so affected consists of tracts lying in different counties, a separate notice shall be filed in each county as to the tract lying in that county.

§ 2. That Section 2 of Chapter 11 of the Acts of the General Assembly of Kentucky of 1896, approved March 17, 1896, be repealed, amended and re-enacted, so that when said Section is so amended and re-enacted, same shall read as follows:

No attachment or execution hereafter issued, nor any levy or sale under either, nor any lien for internal revenue tax payable to the United States of America as approved in Section 3186 of the Revised Statutes of the United States, shall in any manner affect the right, title to, or interest of a subsequent purchaser, lessee or incumbrancer without notice

thereof of any real estate or any interest therein upon which such attachment or execution may be or may have been levied, except from the time there shall be filed in the office aforesaid a memorandum, showing the number and style of the action in which said attachment or execution issued, the court from which it issued, the number, if any, of such attachment or execution, the date thereof, and the name of the persons in whose favor and against whom respectively it issued; nor shall any lien for internal revenue tax payable to the United States of America, as approved in Section 3186 of the Revised Statutes of the United States, in any manner affect the right, title to, or interest of a subsequent purchaser, lessee or incumbrancer without notice thereof, or any real estate or any interest therein except from the time there shall be filed in the office aforesaid a memorandum showing the name and residence of the taxpayer, the United States Revenue Collector's office from whence the notice issued, the collector's serial number of such notice and the amount of the tax and penalty assessed. Any of the above notices may be filed by any party in interest.

An emergency is hereby declared to exist and this act shall take effect from and after its passage.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. B. Ardery	A. J. Baldrige
A. L. Allen	W. O. Bach	W. O. Baxter
S. E. Anderson	Walter J. Bailey	T. H. Benton

W. P. Bowman	W. T. Green	Harry J. Meyers
Thos. L. Britton	E. L. Hagan	L. P. Murphy
W. G. Buckner	A. L. Hall	James H. Muse
S. J. Bunker	John G. B. Hall	L. C. Nell
Sam P. Burnam	T. W. Hardesty, Jr.	Andrew Nichols
E. L. Campbell	Herman Handmaker	J. H. Payne
J. G. Campbell	Brooks L. Hargrove	J. G. Prather
Harry Cochran	C. W. Hawkins	W. H. Pryor
John Cooper	Phillip Helf	B. A. Robertson
J. O. Creech	J. R. Hobbs	C. W. Ryans
C. B. Crossland	J. S. Hollan	Charles Smith
J. R. Dorman	H. B. Holland	Daniel Boone Smith
E. J. Doss	S. K. Holland	S. G. Smith
W. M. Duncan	Ira L. Horn	M. E. Sparks
Thos. J. Dunn	Robt. L. Horn	Dan Stamper
D. E. Edwards	Josephus Howard	Frank L. Strange
J. W. Edwards	W. F. Hunter	J. G. Swearingen
J. O. Evans	Lester Jeter	Mac Swinford
Virgil Eversole	T. M. Johnson	J. B. Taylor
Chas. H. Fair	John C. Kemper	E. G. Thomas
W. J. Fisher	John B. Klefot	C. F. Thornton
J. C. Flener	Porter J. Land	P. H. Vincent
Duke W. Fowler	S. D. Laughlin	J. C. Watkins
Chas. B. Fulton	Leon P. Lewis	L. M. Weathers
J. B. Furlong	Clark Macdonald	J. A. White
F. A. Gnau	C. C. May	
R. C. Graham	Henry Meiman	

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Resolved that the titlé thereof be as aforesaid.

Mr. Hardesty moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 43. An Act entitled "An Act to amend and re-enact Sections 498 and 498a of Kentucky Statutes, 1915, compiled by the Hon. John D. Carroll relating to release and assignment of lien and mortgage notes, defining the Clerks's duties and providing fees therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sections 498 and 498-A, Kentucky Statutes, compiled by the Hon. John D. Carroll, be and they are hereby amended and re-enacted, so that said sections as amended, shall read as follows:

"Sec. 498. Liens by deed or mortgage may be discharged by an entry acknowledging satisfaction of the same on the margin of the record thereof signed by the person entitled to the same or his personal representative and attested by the clerk or his deputy, or such lien or mortgage may be discharged by a separate instrument, which shall recite the date of the instrument and deed book and page wherein it is recorded. Such release in the case of a mortgage or deed of trust shall have the effect to reinstate the title in the mortgagor or grantor or person entitled thereto. The deed of release shall be executed as deeds are now executed. If a lien or mortgage is released by a deed of release the clerk shall immediately endorse on the margin of the record wherein the lien is retained 'Released by deed of release (stating whether in whole or in part) lodged for record (giving date, deed book and page wherein such deed of release may be found) and attest such certificate, and for making such notation on the record the Clerk shall be allowed a fee of twenty-five cents for each notation so made, to be paid by the party filing such deed of release. Any holder of note secured by lien or mortgage who shall lodge for record a deed of release and any county clerk or deputy county clerk who shall receive and permit to

be lodged for record any deed of release contrary to the provisions of this section shall be fined not less than twenty-five dollars nor more than fifty dollars for each offense.

“Provided, that nothing in this act shall be construed to make any clerk or deputy clerk liable to any fine imposed herein because of any false or erroneous statement in any such deed of release.

“All fines collected under this section shall go to the common school fund for this State.”

“Sec. 498-A. (1) In recording mortgages and deeds in which liens are retained (except railroad mortgages securing bonds payable to bearer), there shall be left a blank space immediately after the record of such deed or mortgage of at least two full lines for each note or obligation named in said deed or mortgage.

(2) When any note or notes named in any deed or mortgage shall be assigned to any other person, the assignor may, over his own hand, attested by the Clerk, note such assignment in said blank space, and when any one or more of the notes named in any deed or mortgage is paid, or otherwise released or satisfied, the holder of said note or notes, and who appears from the record to be such holder, may release the lien, so far as such note or notes are concerned, by release, over his own hand, attested by the Clerk.

(3) No person, except such as shall, from such record or assignment of record, appear at the time, to be the legal holder of any note or notes secured by lien in any deed or mortgage, shall be permitted to release the lien securing any such note or notes, and any release made in contravention of this section shall be void; but this act shall not be held to change the existing law if no such entry be made.

(4) For each assignment and release so made and attested by the Clerk, he shall be entitled to charge a fee of twenty-five cents to be paid by the person executing such release or noting such assignment.

(5) Provided, however, that if such assignment of note or notes be made by separate instrument or by deed assigning such note or notes the instrument of writing or deed shall set forth the date of notes assigned, brief description of notes, name and post office address of assignee, and deed book and page of the instrument wherein the lien or mortgage is recorded and it shall be the duty of the Clerk or deputy clerk receiving such instrument of writing or deed of assignment for record to immediately endorse at the foot of the record in the space provided in Sub-Section One thereof. 'The notes mentioned herein (giving a brief description of notes assigned) have been transferred and assigned to (insert name and address of assignee) by deed of assignment (or describe instrument) dated and recorded in Deed Book ———, Page ———,' and attest such certificate. For making such notation on the record the Clerk shall be allowed a fee of twenty-five cents for each notation so made to be paid by the party filing such instrument of writing or deed of assignment.

It shall be unlawful for any holder of note or notes secured by lien retained in either deed or mortgage to lodge for record or for any clerk or deputy county clerk to receive and permit to be lodged for record any deed or instrument of writing that does not comply with the provisions of this Sub-Section. Any holder of note or notes who shall lodge for record an instrument of writing or deed assigning note or notes or deed of release or instrument wherein there is a release and any county clerk or deputy county clerk who shall receive and permit to be lodged for record any such instrument of writing or deed contrary to the provisions of this Sub-Section shall be fined not less than \$25.00 nor more than \$50.00 for each offense.

Provided, that nothing in this Act shall be construed to make any Clerk or Deputy Clerk liable to any fine imposed herein because of any false or erroneous statement in any such instrument of writing, deed of assignment or deed of

release. All fines collected under this Section shall go to the Common School fund for this State.

§ 2. This Act shall take effect from and after is passage."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. W. Edwards	S. K. Holland
A. L. Allen	J. O. Evans	Robt. L. Horn
S. E. Anderson	Virgil Eversole	Josephus Howard
W. B. Ardery	Chas. H. Fair	W. F. Hunter
W. O. Bach	W. J. Fisher	Lester Jeter
A. J. Baldridge	J. C. Flener	T. M. Johnson
W. O. Baxter	Duke W. Fowler	John C. Kemper
T. H. Benton	Chas. B. Fulton	John B. Klefot
W. P. Bowman	J. B. Furlong	S. D. Laughlin
Thos. L. Britton	F. A. Gnau	Leon P. Lewis
W. G. Buckner	W. T. Green	Wm. McClave
S. J. Bunger	E. L. Hagan	Clark Macdonald
E. L. Campbell	A. L. Hall	Luther Morse
J. G. Campbell	John G. B. Hall	C. C. May
Chas. B. Carver	T. W. Hardesty, Jr.	Henry Meiman
Harry Cochran	Herman Handmaker	A. M. Mercer
John Cooper	Brooks L. Hargrove	Harry J. Meyers
J. O. Creech	C. W. Hawkins	E. B. Miller
C. B. Crossland	Joseph M. Hayse	L. P. Murphy
E. J. Doss	Phillip Helf	James H. Muse
W. M. Duncan	J. R. Hobbs	L. C. Nell
Thos. J. Dunn	J. S. Hollan	Andrew Nichols
D. E. Edwards	H. B. Holland	J. H. Payne

Levi W. Powell	Dan Stamper	P. H. Vincent
J. G. Prather	Frank L. Strange	J. C. Watkins
W. H. Pryor	J. G. Swearingen	L. M. Weathers
B. A. Robertson	Mac Swinford	J. A. White
C. W. Ryans	J. B. Taylor	
Charles Smith	C. F. Thornton	

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Resolved that the title thereof be as aforesaid.

Mr. Lewis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 115. An Act to assist disabled ex-service men and women of the World War in obtaining from the Federal Government the relief authorized by Acts of Congress, continuing in existence for that purpose the Kentucky Disabled Ex-service Men's Board, and appropriating funds therefor, providing maintenance of an office and stenographic help to carry on the work of said Board and declaring an emergency to exist.

Mr. Meyers moved that said bill lie on the Clerk's desk.

Said motion was agreed to.

Mr. Milliken laid before the House the following telegraphic communications, viz.:

Hon. John S. Milliken,
Speaker of the House of Representatives:

The citizens of Harrodsburg are looking forward to the pleasure of a visit of the Kentucky Legislature enroute to

Danville Friday. The Harrodsburg Rotary Club will act as host at Old Fort Harrod. A Kentucky handshake awaits you and we hope to meet you face to face.

Harrodsburg Rotary Club,
T. Curry Dedman, President.

Hon. John S. Milliken,
Speaker of the House of Representatives:

Harrodsburg, Kentucky's mother town, extends to your Honorable Body a most cordial invitation to stop enroute to Danville Friday. See the old Fort and other points of interest. Don't pass us by.

Mercer Chamber of Commerce,
E. Buford Vanarsdall, President.

Hon. John S. Milliken,
Speaker of the House of Representatives:

An invitation is extended every member of the Legislature to visit Harrodsburg enroute to Danville Friday. See old Fort Harrod, also Kentucky's first Cemetery, also Lincoln Cabin and the spot which witnessed the birth of this great Commonwealth. Our Association welcomes you to this historic town.

Kentucky Pioneer Memorial Association,
James L. Isenbert, President.

Mr. Meyers moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, JANUARY 27, 1928.

The House was opened with prayer by the Reverend J. E. Moss of the Methodist Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Duke W. Fowler	Luther Morse
A. L. Allen	Chas. B. Fulton	C. C. May
S. E. Anderson	J. B. Furlong	Henry Meiman
W. B. Ardery	F. A. Gnaou	A. M. Mercer
W. O. Bach	R. C. Graham	Harry J. Meyers
Walter J. Bailey	W. T. Green	E. B. Miller
A. J. Baldrige	E. L. Hagan	L. P. Murphy
W. O. Baxter	A. L. Hall	James H. Muse
T. H. Benton	John G. B. Hall	L. C. Nell
W. P. Bowman	T. W. Hardesty, Jr.	Andrew Nichols
Thos. L. Britton	Herman Handmaker	J. H. Payne
W. G. Buckner	Brooks L. Hargrove	Levi W. Powell
S. J. Bungler	C. W. Hawkins	J. G. Prather
E. L. Campbell	Joseph M. Hayse	W. H. Pryor
J. G. Campbell	Phillip Helf	B. A. Robertson
Chas. B. Carver	J. R. Hobbs	C. W. Ryans
Harry Cochran	J. S. Hollan	Charles Smith
John Cooper	H. B. Holland	Daniel Boone Smith
J. O. Creech	S. K. Holland	S. G. Smith
C. B. Crossland	Ira L. Horn	M. E. Sparks
J. R. Dorman	Robt. L. Horn	Dan Stamper
E. J. Doss	Josephus Howard	Frank L. Strange
W. M. Duncan	Lester Jeter	Mac Swinford
Thos. J. Dunn	John C. Kemper	J. B. Taylor
D. E. Edwards	John B. Klefot	C. F. Thornton
J. W. Edwards	S. D. Laughlin	P. H. Vincent
J. O. Evans	Leon P. Lewis	J. C. Watkins
Virgil Eversole	Wm. McClave	L. M. Weathers
Chas. H. Fair	J. L. McKnight	J. A. White
J. C. Flener	Clark Macdonald	

Mr. Thornton moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Klefot moved that a leave of absence be granted to Mr. Bailey.

Said motion was agreed to.

Mr. Ira L. Horn moved that Master Robert Johnson be made an Honorary Page for the session.

Said motion was agreed to.

Mr. Meyers moved that Master Charles Dunn be made an Honorary Page for the session.

Said motion was agreed to.

Mr. Meyers offered the following resolution, viz.:

Whereas, according to press dispatches, God has called from our midst Garrett B. Wall, Vice President of the C. & O. Railway Company, who died last night at St. Augustine, Florida, where he had gone several weeks ago on the advice of his physician, and,

Whereas, Mr. Wall was one of the most popular railroad officials ever to visit this city and the Legislature of Kentucky, and until recently always attended every session and,

Whereas, he was well and favorably known, he being personally acquainted with practically every state official at the Capitol and many of the Representatives and Senators, and,

Whereas, in view of the fact that he was born in Kenton County, Kentucky and as a Kentuckian by birth, altho living temporarily in Richmond, Virginia, his heart always beat in love and sympathy for the progress and welfare of his native State, and,

Whereas, in view of the foregoing, and also the fact that as an executive of the C. & O. Railroad he did much to assist in developing our beloved State; and,

Whereas, his presence will now and from henceforth be forever removed from us,

Therefore, be it resolved by the House of Representatives in session assembled, that when we adjourn today that it be out of respect to and in memory of Mr. Wall.

Said resolution was adopted.

Mr. Meyers offered the following resolution, viz.:

Whereas, the House of Representatives is gifted with one of the finest officers, the Honorable Charles Howes, its Clerk; and,

Whereas, his voice is clear and if necessary can carry to the farthest corners of any convention hall; and,

Whereas, his Democracy and efficiency as a clerk can never be questioned; and,

Whereas, we the Democrats of the State of Kentucky think we are aiding our party by recommending such a competent clerk,

Therefore, be it resolved by the House of Representatives that we heartily endorse the Honorable Charles Howes as the most suitable and efficient clerk that it is possible for them to secure for the National Convention at Houston, Texas, and that we respectfully ask the Democratic National Committee to recommend him as the most suitable man in the Democratic party for this place.

That the Speaker of the House be directed to send copies of this resolution to the National Committee at Washington and use every honorable means in his power to promote this appointment.

Said resolution was adopted.

Upon a call of the County and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Morse:

H. B. 361. An Act to establish State Primary Road Project No. — from Princeton in Caldwell County, Kentucky via Wilson Warehouse road and the Tradewater River bridge in the vicinity of Montgomery Ford or New Hope and the lower levee to Providence in Webster County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Sparks:

H. B. 362. An Act to add to the Primary System a road beginning at the mouth of George's Creek to Mayo Trail, ending with the Garret Highway in Martin County near Stidham, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Fowler:

H. B. 363. An Act to provide for the establishment and maintenance in counties which contain a city of the first class, of a hospital for the treatment of persons afflicted with tuberculosis.

To Committee on Cities of the 1st Class.

By Mr. Meyers:

H. B. 364. An Act to grant a corporate franchise.

To Committee on Cities of 2nd and 3rd Class.

By Mr. Crossland:

H. B. 365. An Act defining and prescribing the jurisdiction of justices and quarterly courts and of judges of police

courts in cities of the first, second, third and fourth class in this Commonwealth in penal and misdemeanor cases.

To Committee on County and City Courts.

By Mr. Strange:

H. B. 366. An Act authorizing the Commissioner of Motor Transportation to credit the pro rata part of the unearned portion of license fees on motor vehicles used for transporting passengers for hire on the purchase of new license tags when any such motor vehicle has been destroyed by fire or other casualty and permanently withdrawn from use on the public highways.

To Committee on Motor Transportation.

By Mr. Helf:

H. B. 367 An Act declaring every undertaking or promise, whether written or oral, obtained in any individual, firm, company, association, or corporation and any employe or prospective employe of same which prevents any employe from becoming or remaining a member of any labor organization be declared to be contrary to public policy and void, and fixing penalty for violation of this act.

To Committee on Kentucky Statutes.

By Mr. Hall:

H. B. 368. An Act repealing Section 4356 of Carroll's Kentucky Statutes, 1922 edition, being Chapter 86 of the Acts of the General Assembly of 1914, being entitled "An Act declaring certain public roads a system of public state highways and public works of Kentucky," and enacting in lieu thereof

an act to provide State aid for the construction and improvement of secondary roads and defining said roads and appropriating from the general road fund the sum of one million, two hundred thousand dollars (\$1,200,000) annually for said purpose, and providing that the counties, local districts thereof or individuals therein may appropriate, subscribe or otherwise provide for one half of the cost of the construction or improvement of any such secondary road or roads; providing that the State Highway Commission shall prepare plans and specifications for all such roads and have charge of the construction and improvement thereof.

To Committee on Roads and Highways No. 1.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Lewis of the Committee on Circuit Courts:

H. B. 25. An Act to change and fix the time for, the place and terms of Court in the 20th Judicial District.

By Mr. Gnau of the Committee on Cities of the 1st Class:

H. B. 171. An Act relating to the management, operation and rate making for water works in cities of the first class and providing for the installation of water meters in private residences, apartment houses, and flats and for the prevention of consolidation, merger or sale of such water works in such cities.

By Mr. S. K. Holland of the Committee on Kentucky Statutes:

H. B. 33. An Act creating the office of Purchasing Agent in counties containing cities of the first class, defining his duties and fixing his salary.

H. B. 36. An Act to amend and re-enact sub-section g of Section 2 of Chapter 109 of the Acts of the General Assembly of 1926, pertaining to motor vehicles.

H. B. 191. An Act to amend and re-enact Section 73 of Carroll's Civil Code of Practice by providing that if the action be brought by personal representatives the residence of the decedents and not that of the personal representatives shall control.

H. Res. 1. Resolution extending the benefits of House Resolution No. 5, Chapter 365, page 1039 Acts of General Assembly of 1926, being a resolution for the benefit of D. Owen Robinson.

With the expression of opinion that they out to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Meyers moved that the House proceed to the consideration of the Calendar.

Said motion was agreed to.

Thereupon the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 41. An Act to establish the Judicial Council of the Commonwealth and to provide for its duties and expenses.

H. B. 244. An Act to repeal and re-enact Chapter 106 of the Acts of 1926 entitled "An Act to assist disabled United Spanish War Veterans and their dependents in obtaining from the Federal Government the relief authorized by acts of Congress, and creating for that purpose a voluntary commission, and providing for its office expenses and salary of

secretary." And providing for taking care of other expenses and making appropriation for all of said purposes.

H. B. 14. An Act to appropriate Five Thousand Dollars (\$5,000.00) a year for each of the fiscal years 1927-1928, and 1928-1929 to the Kentucky State Fair for the purpose of meeting premium expenses of the said State Fair in promoting livestock contests for boys' and girls' club work and adult feeders in this Commonwealth, and providing for the apportionment of eighty (80%) per cent, or more, of said appropriation to boys' and girls' club work and twenty (20%) per cent, or less, of said appropriation to adult feeders, and providing for reports to the Auditor.

H. B. 236. An Act authorizing and empowering the State Board of Agriculture to anticipate the receipts and borrow money for the current expenses of the Kentucky State Fair.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The Speaker laid before the House the following invitation, viz.:

Hon. John S. Milliken,
Speaker of the House of Representatives.

My Dear Good Friend:

I am writing to ask if you will be good enough to extend an invitation to the Members of the House, over which you preside, who may find it possible, to attend a meeting in the

Fourth Avenue Presbyterian Church, Louisville, Kentucky, next Sunday evening at 7:45.

The purpose of this meeting is to give the community of Louisville an opportunity of meeting the Lieut. Governor, the Speaker of the Senate and the Speaker of the House of Representatives of their own Kentucky.

Thanking you for extending this invitation to the members of your body, and hoping they can be present, I am,

Very cordially and faithfully your,

Charles W. Welch.

Mr. Meyers moved that the House do now adjourn until next Monday, January 30, at one o'clock P. M.

Said motion was agreed to.

And then the House adjourned.

MONDAY, JANUARY 30, 1928.

The House was opened with prayer by the Reverend Father E. G. Klosterman of the Roman Catholic Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	W. G. Buckner	E. J. Doss
A. L. Allen	S. J. Bunger	W. M. Duncan
S. E. Anderson	E. L. Campbell	Thos. J. Dunn
W. B. Ardery	J. G. Campbell	D. E. Edwards
Walter J. Bailey	Chas. B. Carver	J. W. Edwards
A. J. Baldrige	Harry Cochran	J. O. Evans
W. O. Baxter	John Cooper	Virgil Eversole
T. H. Benton	J. O. Creech	Chas. H. Fair
W. P. Bowman	C. B. Crossland	W. J. Fisher
Thos. L. Britton	J. R. Dorman	J. C. Flener

Duke W. Fowler	Josephus Howard	Andrew Nichols
Chas. B. Fulton	W. F. Hunter	J. H. Payne
J. B. Furlong	Lester Jeter	J. G. Prather
F. A. Gnau	John C. Kemper	W. H. Pryor
R. C. Graham	John B. Klefot	B. A. Robertson
W. T. Green	Porter J. Land	C. W. Ryans
E. L. Hagan	S. D. Laughlin	Charles Smith
A. L. Hall	Leon P. Lewis	Daniel Boóne Smith
John G. B. Hall	Wm. McClave	S. G. Smith
T. W. Hardesty, Jr.	J. L. McKnight	M. E. Sparks
Herman Handmaker	Wm. McRohan	Dan Stamper
Brooks L. Hargrove	Clark Macdonald	Frank L. Strange
C. W. Hawkins	Luther Morse	J. G. Swearingen
Joseph M. Hayse	C. C. May	Mac Swinford
Phillip Helf	Henry Meiman	J. B. Taylor
J. R. Hobbs	A. M. Mercer	E. G. Thomas
J. S. Hollan	Harry J. Meyers	C. F. Thornton
H. B. Holland	E. B. Miller	P. H. Vincent
S. K. Holland	L. P. Murphy	J. C. Watkins
Ira L. Horn	James H. Muse	L. M. Weathers
Robt. L. Horn	L. C. Nell	J. A. White

Mr. Hawkins moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 8. An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams, so as to connect such cities with an adjoining state; providing for a commission in such cities of the first class to construct, operate, control and maintain such bridges and fixing the powers and duties of such commission and providing

for the issuance of revenue bonds of such cities to pay the cost thereof, payable solely through bridge tolls without the incurrance of indebtedness of any such city.

2. S. B. 43. An Act exempting persons from road duty in any one year by paying to the county road funds the sum of ten dollars.

3. S. B. 61. An Act to authorize the incorporation of chambers of commerce, provide for their government and the collection of dues, and to authorize appropriations thereto by city councils and city commissioners of cities of the third and fourth class in the Commonwealth of Kentucky.

4. S. B. 82. An Act to assist disabled ex-service men and women of the World War in obtaining from the Federal Government the relief authorized by Acts of Congress, continuing in existence for that purpose the Kentucky Disabled Ex-Service Men's board and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said board, and declaring an emergency to exist.

5. S. B. 86. An Act creating the Kentucky Geological Survey, designating its Executive Officer and his duties and providing funds for its maintenance.

6. H. B. 89. An Act to appropriate the sum of One Hundred Eighty-four Thousand One Hundred and Forty-five (\$184,145.66) Dollars and Sixty-six cents for the use and benefit of the Kentucky State Industrial College for Colored Persons for the Training of Teachers and Industrial Leaders.

Ordered that said bills be printed and referred as follows, viz.:

1. To Committee on Public Bridges and Ferries.
2. To Committee on Roads and Highways No. 1.
3. To Committee on Cities of the 2nd and 3rd Class
4. To Committee on Military Affairs.
5. To Committee on Geological Survey.
6. To Committee on Normal Schools.

Upon a call of the Counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Alcock:

H. B. 369. An Act to amend and re-enact Section 576 of the Kentucky Statutes, Carroll's 1922 Edition, so that said section shall not apply to any advertising of any character used by a corporation nor require the display of the corporate name and the word "Incorporated" in but one place in or about the place of business.

To Committee on Kentucky Statutes.

By Mr. Fair:

H. B. 370. An Act establishing State Primary Road Project No. — from Walltown, Casey County, Kentucky, to Gilpin, Casey County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Fair:

H. B. 371. An Act establishing State Primary Road Project No. — from Windsor, Casey County, Kentucky, to Lawhorn Hill, Casey County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Creech:

H. B. 372. An Act to amend and re-enact Chapter 74 of the Acts of the 1926 General Assembly which is Section 4189-1-2-3-4-5-6-7-8-9-10, of the Kentucky Statutes, (Carroll Edition).

To Committee on Revenue and Taxation No. 1.

By Mr. Swearingen:

H. B. 373. An Act adding to the Primary System of State Highways, the road from Greenup, Ky., to Redhot in Greenup County.

To Committee on Roads and Highways No. 3.

By Mr. Swearingen:

H. B. 374. An Act to establish State Primary Road Projects No. — from Brown's Garage on the River Road in Greenup County to Argulite in the same County.

To Committee on Roads and Highways No. 3.

By Mr. Swearingen:

H. B. 375. An Act to establish State Primary Road Project No. — from Cold Branch in Greenup County to Lynn also in Greenup County.

To Committee on Roads and Highways No. 3.

By Mr. Hagan:

H. B. 376. An Act to repeal, amend and re-enact Section 2740, Ky. Statutes, Carroll's 1915 Edition, also Chapter 83 of the Acts of the General Assembly of Ky. 1916, also Chapters 11 and 164 of the Acts of the General Assembly of Kentucky, 1920, and also Chapter 108 of the Acts of the General Assembly of Kentucky, 1922, also Chapter 82 of the Acts of the General Assembly of Kentucky 1924, also Chapter 141 of the Acts of the General Assembly of Kentucky, 1926, all relating to the classification of the cities and towns of the Commonwealth of Kentucky.

To Committee on Classification of Cities and Towns.

By Mr. Handmaker:

H. B. 377. An Act to amend Section 4072 Kentucky Statutes, Carroll's Edition, (Revenue and Taxation).

To Committee on Kentucky Statutes.

By Mr. Meyers:

H. B. 378. An Act to amend an act entitled: "An Act to amend Section 10 of the Acts of 1920 Session of the General Assembly of the Commonwealth of Kentucky, entitled: An Act relating to roads and bridges; creating the department of State Roads and Highways, providing for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said Department; prescribing laws governing said department and the officers therein; accepting the provisions of the Federal Law providing that the United States shall assist in the construction of rural post roads and making appropriation for co-operative work with the United State's Govern-

ment; providing for the payment of the State's part of the construction of State Aid Roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designing a Primary System of State Highways and providing for their construction and maintenance, &c.

To Committee on Public Bridges and Ferries.

By Mr. Meyers:

H. B. 379. An Act entitled an act for governing Insurance Agents, defining their duties and defining the duties of the Insurance Commissioners and providing a penalty for the violation thereof.

To Committee on Insurance, Fire and Marine.

By Mr. Meyers:

H. B. 380. An Act entitled an act that has as its purpose the protection of road and farm machinery, tools and implements that are left in fields or on the side of the highway; and providing penalties for the violation thereof.

To Committee on Agriculture.

By Mr. Nichols:

H. B. 381. An Act to amend sub-section 9 of Section 3704 of Kentucky Statutes, Carroll's Edition, Supplement 1922-24, relating to cemeteries owned by cities of sixth class; to provide for their control and management, provide for the establishment, perpetuation and control of endowment funds the income from which shall be used and expended for the care, improvement and maintenance of the cemeteries.

To Committee on Cities of the Fifth and Sixth Class.

By Mr. Nichols:

H. B. 382. An Act establishing and making a road from Upton on Project No. 11 to Magnolia on Project No. 3, by way of Tallie School House and Brook's School House, as a part of the Primary System of State Highways, and designating said project as Project No. 11-N.

To Committee on Roads and Highways No. 3.

By Mr. Crossland:

H. B. 383. An Act to amend an act entitled an act placing mussel shell beds in the Ohio River and other streams under the control and regulation of the State Game and Fish Commission, providing for a license for catching mussels and imposing penalties for violations of the provisions of this act and regulations made under authority thereof.

To Committee on Fish and Game.

By Mr. Strange:

H. B. 384. An Act to create a State Commission to be known as the Kentucky National Park Commission, prescribing the number of the members thereof, the Governor being ex-officio a member, and the payment of their expenses; providing for a director and assistants, and for their salaries; providing the Commission with the power to condemn lands for national park purposes as provided by law in the condemnation of lands for steam railroads, and designating the duties of the Attorney General, Commonwealth Attorney and County Attorney; investing the Commission with the power to purchase and acquire real estate and other kinds of

property for national park purposes, and to hold, barter, sell and convey same for such purposes; providing for an appropriation not to exceed the sum of Thirty Thousand (\$30,000.00) Dollars to be used for the purpose of carrying into effect the provisions of this Act; providing for the manner in which the expenses of the Commissioners, the salary of the Director and of his assistants shall be paid; providing for the payment of expenses of condemnation proceedings and such other expenses necessary to convey to the United States Government for National Park purposes the property acquired under this Act; to empower the Commission to make, adopt and enforce rules and regulations necessary to carry out the purpose of this Act; and declaring an emergency to exist.

To Committee on State Parks.

By Mr. Doss:

H. B. 385. An Act relating to Roads and Highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

To Committee on Roads and Highways No. 3.

By Mr. McRohan:

H. B. 386. An Act conferring the right in an action to recover for a tort or negligence to sue the insurance company indemnifying another corporation or person against loss or damage by reason of such tort or negligence either jointly with such person so indemnified or separately.

To Committee on Kentucky Statutes.

By Mr. McRohan:

H. B. 387. An Act to provide for the right of an appeal to the Court of Appeals of Kentucky from an order or judgment in granting a new trial in a Common Law judgment, etc.

To Committee on Court of Appeals.

By Mr. Hall:

H. B. 388. Authorizing the State Highway Commission to employ convict labor in constructing and maintaining roads and bridges and in working in quarries, preparing material for roads and bridges; to open, equip and operate stone quarries, to arrange for transporting road materials by river and land; for constructing barricades for safekeeping of prisoners, and housing quarters for same; for adopting rules and regulations by the Highway Commission and the State Board of Charities, including allowances for the wage of prisoners to be paid to the State Board of Charities and Corrections by the State Highway Commission and fixing responsibilities and managing powers.

To Committee on Roads and Highways No. 1.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Gnau of the Committee on Cities of the 1st Class:

H. B. 297. An Act concerning the duties of the county clerk in counties containing cities of the first class in making out tax bills and certifying same to sheriff for collection.

H. B. 235. An Act to enable cities of the first class at any time or times and as often as the Mayor and legislative

body of such city shall deem for its best interest to project, construct and establish a system of sewers or successive systems of sewers for the disposition of sewage of such city and to project, construct, and establish such system or systems with a view to either or both the then needs of such city or in anticipation of the future needs of such city.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 25. An Act to change and fix the time for, the place and terms of court in the 20th Judicial District.

H. B. 171. An Act relating to the management, operation and ratemaking for water works in cities of the first class and providing for the installation of water meters in private residences, apartment houses, and flats and for the prevention of consolidation, merger or sale of such water works in such cities.

H. B. 33. An Act creating the office of Purchasing Agent in counties containing cities of the first class, defining his duties and fixing his salary.

H. B. 36. An Act to amend and re-enact subsection g of Section 2 of Chapter 109 of the Acts of the General Assembly of 1926, pertaining to motor vehicles.

H. B. 191. An Act to amend and re-enact Section 73 of Carroll's Civil Code of Practice by providing that if the action be brought by personal representatives the residence

of the decedents and not that of the personal representatives shall control.

H. Res. 1. Resolution extending the benefits of House Resolution No. 5, Chapter 365, page 1039 Acts of General Assembly of 1926, being a resolution for the benefit of D. Owen Robinson.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Strange moved that the Rules be suspended and that the House take up for consideration from the Orders of the Day, a bill entitled:

H. B. 244. An Act to repeal and re-enact Chapter 106 of the Acts of 1926 entitled "An Act to assist disabled United Spanish War Veterans and their dependents in obtaining from the Federal Government the relief authorized by acts of Congress, and creating for that purpose of a voluntary commission, and providing for its office expenses and salary of secretary." And providing for taking care of other expenses and making appropriation for all of said purposes.

Said motion was agreed to.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 106 of the Acts of 1926 of the General Assembly be and the same is hereby repealed and re-enacted so that as re-enacted it will read as follows:

That there is hereby created a voluntary commission to be known as the United Spanish War Veterans' Commission of Kentucky and which shall be continued in existence for the period of two years after the passage and approval of this act. The purpose of the commission shall be to assist disabled United Spanish War Veterans who are, or may hereafter be, entitled to aid from the United States Government by virtue of Federal laws for the benefit of disabled soldiers and war veterans, and to assist in preparing and presenting their respective claims to the proper Federal agencies and authorities and to secure and expedite actions thereon. The headquarters of the Commission shall be in Louisville.

§ 2. The United Spanish War Veterans' Commission of Kentucky shall during the time for which its existence is continued by Section 1 of this Act be composed of three members, one of whom shall be the present Department Commander of the United Spanish War Veterans of Kentucky, and the other two shall be the two last past Department Commanders of the United Spanish War Veterans. The Department Commander and the two last past Department Commanders at the time this act is passed and approved by the Governor shall continue in office and constitute said commission during the entire time that its life is extended under the provisions of Section 1 of this Act. The Senior past Department Commander who is a member of the commission shall be chairman of the commission.

§ 3. The commission shall have authority to adopt its own rules and regulations governing the conduct of its affairs.

§ 4. The provisions of this act shall apply only to the United Spanish War Veterans of Kentucky.

§ 5. The commission shall elect a secretary whose duty it shall be to prepare in proper form, present and prosecute claims of all United Spanish War Veterans before the proper

Federal Authorities, and to secure and expedite action on said claims. The secretary shall be paid a salary of \$1,800.00 per annum.

§ 6. For the purpose of carrying out the provisions of this act there is hereby appropriated out of the general funds of the State Treasury not otherwise appropriated to the said commission the sum of \$5,000.00 per annum for the period of two years, and of this sum \$1,800.00, shall be devoted to the payment of the salary of the secretary, and the remainder shall be devoted to office and traveling expenses of the commission, or the secretary or anyone who may be designated by the commission to perform any duty which the commission or secretary may be required to perform. The commission when it designates any person to perform any duty may, in addition to the traveling expenses pay such person a reasonable per diem for services. Said appropriation shall be paid in the same manner as now provided by law in the case of other State agencies, and all papers, books and disbursements shall be subject to examination by the State Inspector and Examiner. If there be any unused surplus at the expiration of the period of which said commission is created the same shall be returned to the general fund of the Treasury. All expense accounts shall be approved by the chairman of the commission before payment.

§ 7. As the present commission would cease to exist before this act would go into effect unless there is an emergency clause, and as that would seriously interfere with the organization and work, an emergency is hereby declared to exist, and this act shall take effect upon its passage.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. C. Flener	J. L. McKnight
A. L. Allen	Duke W. Fowler	Wm. McRohan
S. E. Anderson	Chas. B. Fulton	Clark Macdonald
W. B. Ardery	J. B. Furlong	Luther Morse
Walter J. Bailey	F. A. Gnau	C. C. May
A. J. Baldrige	R. C. Graham	Henry Meiman
W. O. Baxter	W. T. Green	A. M. Mercer
T. H. Benton	E. L. Hagan	E. B. Miller
W. P. Bowman	A. L. Hall	L. P. Murphy
Thos. L. Britton	John G. B. Hall	James H. Muse
W. G. Buckner	Herman Handmaker	L. C. Nell
S. J. Bunger	Brooks L. Hargrove	Andrew Nichols
Sam P. Burnam	C. W. Hawkins	J. H. Payne
E. L. Campbell	Joseph M. Hayse	J. G. Prather
J. G. Campbell	J. R. Hobbs	W. H. Pryor
Chas. B. Carver	J. S. Hollan	B. A. Robertson
Harry Cochran	H. B. Holland	Charles Smith
John Cooper	S. K. Holland	Daniel Boone Smith
J. O. Creech	Ira L. Horn	S. G. Smith
C. B. Crossland	Robt. L. Horn	M. E. Sparks
J. R. Dorman	Josephus Howard	Dan Stamper
E. J. Doss	W. F. Hunter	Frank L. Strange
W. M. Duncan	Lester Jeter	J. G. Swearingen
Thos. J. Dunn	T. M. Johnson	Mac Swinford
D. E. Edwards	John C. Kemper	E. G. Thomas
J. W. Edwards	John B. Klefot	C. F. Thornton
J. O. Evans	Porter J. Land	P. H. Vincent
Virgil Eversole	S. D. Laughlin	J. C. Watkins
Chas. H. Fair	Leon P. Lewis	L. M. Weathers
W. J. Fisher	Wm. McClave	J. A. White

Resolved that the title thereof be as aforesaid.

Mr. Strange moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 61. An Act relating to the operation of motor vehicles by non-residents of the Commonwealth on its Public Highways; to actions founded on accidents arising from such operation; to the manner of service of process in such actions; and to the duties of circuit court clerks in reference thereto.

Mr. Nichols moved that said bill lie on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 33. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth, providing for the issual and revocation of same, the recording of motor vehicle offenses, fixing the amount of said license and providing penalties for violations.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

On and after the first day of January, 1929, no person shall drive or operate a motor vehicle upon any highway of this Commonwealth, unless such person shall have obtained and have in his possession a license as hereinafter provided.

Said license shall be issued by the State Tax Commission, or whomsoever now or hereafter issues automobile licenses, through the County Clerk of the county in which the applicant resides. Before said license shall be issued, said applicant shall be required to swear to an application on blank furnished by the State Tax Commission that he is sixteen years of age or older, sober and discreet, physically and mentally fit to operate a motor vehicle. Upon signing of said application, the County Clerk shall issue to said applicant a card of convenient size, containing applicant's name and address on one side, and blank lines on the other side for inserting the record of any conviction of any violation of the motor vehicle laws. Licensees shall be required to carry said card at all times and present same when called upon by any law-enforcing officer or any person with whom said licensee may have had an accident. Said license shall be permanent unless suspended or revoked as hereinafter provided.

For the issuance of said license, the officer issuing same shall receive a fee of twenty-five cents.

Any license so granted may be revoked or suspended after an open trial with due notice to the licensee whenever in the judgment of the Judge of the County Court, the licensee has shown himself unfit, physically or mentally, to operate a motor vehicle upon the highways of this Commonwealth, or whenever in the judgment of the Judge of the County Court the licensee has violated the motor vehicle law or laws of this Commonwealth so that in the opinion of said judge, said licensee is unfit to operate a motor vehicle. It shall be within the discretion of said County Judge whether the revocation shall be permanent or whether it shall be a suspension of said license for a certain given time. An appeal from the rulings and decisions of said County Judge may be had to the Circuit Court.

Non-resident drivers who have complied with the driver's license law in their own state shall be exempt from the provisions of this law for the same length of time that is granted

to non-residents of their state. Non-resident driver's license law shall be exempt from the provisions of this law for a period of ten days in any one calendar year.

If said license card is lost or mutilated, the licensee may obtain a duplicate upon the payment to the County Clerk of the sum of twenty-five cents. Before issuing said duplicate card, said clerk shall insert on the card all offenses that have been recorded against such licensee.

No person, firm or corporation owning or having the custody of a motor vehicle, shall allow or permit same to be operated upon the public highways of this Commonwealth by any person who has not complied with the provisions of this Act.

It shall be the duty of the County Clerks to keep a docket for the recording of every conviction under the motor vehicle laws of this Commonwealth, and on and after January 1, 1929, it shall be the duty of any court in which a conviction has been had for the violation of any motor vehicle law of Kentucky, to notify the County Clerk of said conviction in the county in which the defendant resides. All said notices shall be kept on the docket of said County Clerk.

It shall be the duty of the State Tax Commission or any officer to whom like duties may be conferred by law, to furnish all necessary blanks and cards used and do all things necessary to the administration of this Act.

Any one violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction be fined not less than twenty-five dollars, nor more than one hundred dollars, or by confinement in the county jail for a period of not less than five nor more than thirty days.

Mr. J. C. B. Hall offered the following Amendment to said bill, viz.:

“Amend H. B. 33 by substituting the word ‘fourteen’ for the word ‘sixteen’ in lines 9 and 10.”

Said Amendment was disagreed to.

Mr. Fowler offered the following Amendment to said bill, viz.:

“Amend H. B. 33, line 9 by inserting the words ‘or she’ so that when amended to read ‘on blank furnished by State Tax Commission that he or she is sixteen years of age.’ ”

Said amendment was agreed to.

Mr. Prather offered the following Amendment to said bill, viz.:

“Amend H. B. 33 after line 63, by adding ‘The provisions of this act, as it affects Kentucky residents shall apply only to residents of counties having cities of the first class.’ ”

Said Amendment was disagreed to.

Mr. Meyers moved that said bill be laid upon the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 10. An Act relating to live stock, and vehicles, other than motor vehicles, while being used or operated on public highways, requiring lights.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all wagons buggies and vehicles, other than automobiles and motor vehicles, shall, while being used or

operated on the public roads and highways in this State, between sunset and sunrise, be equipped with a light that can be seen and that will for a distance of not less than 200 feet therefrom make such wagons, buggies and vehicles distinguishable to persons operating other vehicles of any kind on such public roads and highways.

§ 2. That cattle or livestock shall not be driven on or over the public roads or highways within this State between sunset and sunrise unless a person or persons in charge of such cattle or livestock carries or accompanies said cattle or livestock with a light indicating the presence of such livestock on said roads and highways so that persons and persons operating vehicles on said roads and highways may be warned and know of the presence of such live stock being so driven.

§ 3. This act is not intended to and does not repeal or in anywise modify Section 2739g-24, Kentucky Statutes, requiring lights for bicycles, automobiles and motor vehicles or any laws now in effect applicable to bicycles, automobiles and motor vehicles which remain in force and unchanged by this act.

§ 4. Persons violating the provisions of either Section 1 or 2 of this act shall be guilty of a misdemeanor and fined not less than ten or more than one hundred dollars for each offense.

§ 5. All acts and parts of acts in conflict herewith are hereby repealed.

Mr. Alcock offered the following Amendment to said bill, viz.:

“Amend H. B. 10 by striking out the words ‘Public roads and highways’ in section 1, and substituting therefor the words ‘State maintained primary system of roads and Highways’ and also amend section 4 by changing the figure from ‘not less than \$10 nor more than \$100’ to ‘not less than \$5 nor more than \$25.’ ”

Said Amendment was disagreed to.

Mr. Thornton moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 19. An Act to provide for the construction of sewers in cities of the third class and the payment of same by general taxation or at the cost of the property owners, etc.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Wherever the word "Council" is used in this Act, the same shall mean the Common Council of Third Class Cities or its Board of Commissioners where the Commission Form of Government may have been adopted in such city.

The Council of cities of the Third Class may construct or reconstruct, maintain, alter, repair or change sewers in such manner and at such time as the Council shall by ordinance declare, either by general taxation bond issues or at the cost of the property owners.

No resolution declaring the necessity for any of the improvements provided by this Act shall be required.

Where the city has not been laid off into sewer districts as hereinafter provided, or where less than an entire district is affected, the Council may by ordinance designate the property to be benefited by general description thereof and ratably apportion all or any portion of the cost of such improvement including street intersections, either upon the superficial area of such property and against the owners thereof, or according to the frontage of such property benefited by such improve-

ment or upon the assessed value of such property, together with improvements thereon, as shown by next preceding assessment, or by such a combination of said two or three methods of apportionment upon a percentage basis as in its discretion shall seem most equitable, and their determination relative thereto shall be final, and a lien shall be created upon such property for such cost from time of such apportionment; and all the steps and proceedings, terms and conditions for the ordering, letting, performing, accepting said improvement and the cost thereof and creating, perfecting and enforcing the lien therefor shall be as hereinafter set out in case of construction of a system of sewers.

§ 2. The council may by ordinance, construct, build, maintain, repair, alter or change a system of sewers, including sewerage of the intersections of streets and public ways at the cost of the property owners of said city, but if so constructed the same shall be done as follows:

The Council shall by ordinance divide the city into one or more sewer districts as in their judgment shall be most suitable for the purpose of such improvement, but not less than one district shall be sewerage at one time. The manner of apportioning the cost of such construction, reconstruction, maintaining, repairing, altering or changing a sewer system in such district shall be specified in the ordinance directing said improvement to be made. The cost of sewerage an entire district shall be apportioned among the property owners of said district ratably according to the superficial area of said property owners' holdings in said sewer district, or according to the assessed valuation of such real estate and improvements thereon, or according to the abutting frontage of such property benefited by such improvement or said cost may be apportioned in part according to superficial area, and in part according to assessed valuation and in part according to the abutting frontage or by such a combination of said two or three methods of apportionment on a percentage basis in the discretion of the Council as to them seems most equitable,

and such action shall be final. The Council may, in its discretion, direct that the cost apportioned to the streets, alleys, public ways and property owned by the city, or any part of same lying in such sewer district be paid by the city, in the same proportion and in the same manner as such cost may be assessed against the property owners in said sewer district; or said Council may direct any part of the cost of said improvement to be paid by the city out of its general revenue or out of any other fund that may be available for such purpose. If any portion of said cost is apportioned and directed to be paid according to the valuation of real estate and improvements thereon in said district, then such apportionment shall be fixed and made, and based upon the last preceding assessment of such real property together with improvements thereon made by said city for the purpose of taxation.

The construction of such sewer system may include a sewage disposal plant, sewage pumping plant and mains and laterals which are for the common use and benefit of all sewer districts and the cost thereof may be ratably distributed and apportioned among the property holders of all the districts improved. And any outlying sewer districts subsequently improved shall upon connection with the system pay to the city such sum as the Council shall fix, which shall be ratably distributed and assessed against the property therein and collected with the cost of sewerage such district and said sum shall be kept separate and applied only to the maintenance and upkeep of said sewer system in order to equalize the cost of such disposal plant and mains.

In the construction of such system the city may incorporate therein any sewers which have been theretofore constructed which in the judgment of the Council may be proper and suitable for such purpose and in such event a proper and equitable credit or abatement shall be made on account thereof against the property or the property owners served by such sewers. But this provision as to payment shall not apply where the city has paid for such sewers, and shall only

apply where the property owner shall have himself personally paid for the sewer so taken. After the Council shall have by ordinance described and numbered each sewer district it shall thereafter be sufficient in referring to such district either in construction ordinances, contracts or advertisements or in any other place to refer to the number of said district alone without particular description thereof by metes and bounds.

A contract for the construction of such improvement shall be let upon competitive bidding to the lowest and best bidder, but the same shall not be let until after advertisement thereof shall have been published at least once in a newspaper of said city ten (10) days prior to the awarding of such contract, provided, that if said bids are excessive and in the judgment of the Council the city can purchase material and perform the labor at a less cost than said lowest and best bid, it shall have the right and authority to do so.

The contractor shall be required by the city bond for the faithful discharge of his contract with approved surety thereon.

Upon the completion of the improvement of any district the Engineer for the city shall make the estimate and apportionment of cost to each property owner therein in accordance with the ordinance ordering said work and submit the same to the Council. Such estimate shall be published once in a newspaper of said city at least three days before the same is approved by the Council and the persons affected thereby shall within such time lodge with the Clerk of the city, written protest or complaint, if any, relative thereto or relative to any other matter concerning said improvement or the proceedings affecting same, and the same shall be considered and disposed of by the Council before the estimate and apportionment is approved. The Council shall have power to make such corrections or adjustments in the estimate or apportionment of cost or relative to any other matter concerning the improvement or proceedings affecting the same as may in the judgment of such body be just and equitable, and the same shall

be entirely within their discretion and their judgment thereon shall be conclusive and binding upon all parties except in case of actual fraud on the part of such Council.

When such estimate and apportionment is approved by the Council the same shall as of that date become a lien upon the property against which the same is assessed superior to all liens prior or subsequent, except state, county and city general taxes and of equal dignity with other improvement liens and shall become due and payable at once. A warrant of even date with the approval of said apportionment in such form as may be prescribed by the city shall be issued and delivered by the City Clerk to the contractor against each property owner and shall bear interest from the date thereof and if not paid within thirty (30) days after said date, a penalty of ten (10%) per centum thereof shall be added thereto. Such liens may be enforced by proceedings in equity in the Circuit Court of the county in which the city is, in which proceedings and all property owners whose property is subject to lien by the same contract may be included as defendants. And in such proceedings it shall only be necessary to allege that the improvement was made and the cost thereof apportioned pursuant to ordinance and contracts adopted and made by the city without pleading the same at length and the warrant filed with the petition in the case as a part thereof shall be prima facie evidence that all steps necessary to perfect a lien against the property have been duly taken. And the Council or the court aforesaid shall at all times have power and discretion and it shall be their duty to make any orders or changes or corrections and take any steps that may be necessary to perfect and preserve said lien. And such lien shall not be defeated by reason of any error, omission, oversight, or failure, jurisdictional or otherwise on the part of the city, its Council, agents or employees or other person performing any function in connection therewith, if the improvement has been constructed and accepted substantially as provided either by the ordinance or the contract.

If the apportionment be not made in the name of the true owner the statute of limitations shall not begin to run until it is so made.

§ 3. The Council may provide by the ordinance requiring the construction of such improvement that the same shall be done upon an annual installment payment plan of ten years or less. In such event when any such improvement shall have been completed and the estimate of the cost thereof approved, the Council shall by ordinance apportion such cost as hereinbefore provided and levy an assessment against the property affected thereby for the payment thereof upon such annual installment payment plan and all subsequent proceedings relative thereto shall be had and taken under and controlled by the provisions of Chapter 129 of the Acts of the General Assembly of 1922, providing therefor, the same being entitled: "An Act to amend an Act entitled an Act to amend and reenact Sections 3449, 3450, 3451, 3452, 3453, 3454, 3455, 3456, 3457, 3458, 3459, of the Kentucky Statutes relative to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways, and thoroughfares in cities of the Third Class."

§ 4. The proceeds of the sale of any bonds heretofore voted for the purpose of construction, reconstruction, repairing, altering or changing sewers, or any funds set apart for such purposes may be used by the city for the payment of any part of the cost of such work designated by ordinance to be paid by the city.

§ 5. The Council may include the construction, reconstruction, alteration or repair of sewers in and as a part of the improvement of any street, alley or public way by paving, curbing, guttering or repairing the same and assess and apportion and collect the cost of same as a part of the cost of such improvement.

§ 6. If any section of the Act be declared unconstitutional the same shall not affect the validity of any other part of the Act.

§ 7. Sub-section 8 of Section 3290 Kentucky Statutes and all other acts or parts of acts in conflict herewith are hereby repealed.

§ 8. Whereas many cities of the Third Class in the Commonwealth are suffering and the health of the respective communities being endangered by reason of lack of sewer facilities, an emergency is declared to exist and this act shall take effect from and after its passage.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	J. O. Creech	E. L. Hagan
S. E. Anderson	C. B. Crossland	A. L. Hall
W. B. Ardery	J. R. Dorman	John G. B. Hall
W. O. Bach	E. J. Doss	Herman Handmaker
Walter J. Bailey	W. M. Duncan	Brooks L. Hargrove
A. J. Baldridge	Thos. J. Dunn	C. W. Hawkins
W. O. Baxter	D. E. Edwards	Joseph M. Hayse
T. H. Benton	J. W. Edwards	J. R. Hobbs
W. P. Bowman	J. O. Evans	J. S. Hollan
Thos. L. Britton	Virgil Eversole	H. B. Holland
W. G. Buckner	Chas. H. Fair	S. K. Holland
S. J. Bunger	W. J. Fisher	Ira L. Horn
Sam P. Burnam	J. C. Flener	Robt. L. Horn
E. L. Campbell	Chas. B. Fulton	Josephus Howard
J. G. Campbell	J. B. Furlong	W. F. Hunter
Chas. B. Carver	F. A. Gnau	Lester Jeter
Harry Cochran	R. C. Graham	T. M. Johnson
John Cooper	W. T. Green	John C. Kemper

John B. Klefot	L. P. Murphy	Dan Stamper
Porter J. Land	James H. Muse	Frank L. Strange
S. D. Laughlin	L. C. Nell	J. G. Swearingen
Wm. McClave	Andrew Nichols	Mac Swinford
J. L. McKnight	J. H. Payne	J. B. Taylor
Wm. McRohan	Levi W. Powell	E. G. Thomas
Clark Macdonald	J. G. Prather	C. F. Thornton
Luther Morse	W. H. Pryor	P. H. Vincent
Henry Meiman	B. A. Robertson	J. C. Watkins
A. M. Mercer	Charles Smith	L. M. Weathers
Harry J. Meyers	Daniel Boone Smith	J. A. White
E. B. Miller	S. G. Smith	

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Resolved that the title thereof be as aforesaid.

Mr. Roberts moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 205. An Act to amend an Act creating the office of District Detective to the Commonwealth's Attorney in counties containing cities of the second class in which there is located circuit courts of continuous session.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Act creating the office of District Detective to the Commonwealth's Attorney in Counties containing Cities of the second class, in which there is located Circuit Courts of continuous session, prescribing the method of appointment and removal, the duties, powers and salary, and the method of payment of such officer, be amended by striking out the

figures \$1200.00 and inserting in lieu thereof \$1800.00 in the second line of section 4 and by striking out \$1800.00 and inserting in lieu thereof \$2400.00 in the third line of section 4 of said Act, so that said Act as amended and re-enacted shall read as follows:

§ 1. That in all counties in the Commonwealth having therein Cities of the second class, in which there is located a Circuit Court of continuous session, there is hereby created the office of District Detective to the Commonwealth's Attorney. Said District Detective shall be appointed by the Commonwealth's Attorney for a term of four years, but may be removed at any time by said Commonwealth's Attorney.

§ 2. It shall be the duty of such District Detective to assist the Commonwealth's Attorney in the preparation of all original cases now pending, or which shall hereafter be brought in the Circuit Court of said County, by investigating the evidence and facts connected with such cases, and he shall aid the Commonwealth's Attorney in all matters pertaining to his office, and in such manner as may from time to time be designated by said Commonwealth's Attorney in such County.

§ 3. Said District Detective shall have the same power of arrest and the same right to execute process, as is now given by law to the Sheriffs in such Counties.

§ 4. The salary of said District Detective shall not be less than \$1800.00 per annum, nor more than \$2400.00 per annum, to be paid by the Fiscal Court in such County, and shall be payable out of the County levy in such County in equal monthly installments.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	J. C. Flener	Luther Morse
S. E. Anderson	Duke W. Fowler	C. C. May
W. B. Ardery	Chas. B. Fulton	Henry Meiman
W. O. Bach	J. B. Furlong	A. M. Mercer
Walter J. Bailey	F. A. Gnau	Harry J. Meyers
A. J. Baldridge	R. C. Graham	E. B. Miller
W. O. Baxter	W. T. Green	L. P. Murphy
T. H. Benton	E. L. Hagan	James H. Muse
W. P. Bowman	A. L. Hall	L. C. Nell
Thos. L. Britton	John G. B. Hall	Andrew Nichols
W. G. Buckner	Brooks L. Hargrove	J. H. Payne
S. J. Bungler	C. W. Hawkins	Levi W. Powell
Sam P. Burnam	Joseph M. Hayse	J. G. Prather
E. L. Campbell	J. R. Hobbs	W. H. Pryor
J. G. Campbell	J. S. Hollan	B. A. Robertson
Chas. B. Carver	H. B. Holland	Charles Smith
Harry Cochran	S. K. Holland	Daniel Boone Smith
John Cooper	Robt. L. Horn	S. G. Smith
J. O. Creech	Josephus Howard	M. E. Sparks
C. B. Crossland	Lester Jeter	Dan Stamper
J. R. Dorman	T. M. Johnson	Frank L. Strange
E. J. Doss	John C. Kemper	J. G. Swearingen
W. M. Duncan	John B. Klefot	Mac Swinford
Thos. J. Dunn	Porter J. Land	J. B. Taylor
D. E. Edwards	S. D. Laughlin	E. G. Thomas
J. W. Edwards	Leon P. Lewis	C. F. Thornton
J. O. Evans	Wm. McClave	P. H. Vincent
Virgil Eversole	J. L. McKnight	J. C. Watkins
Chas. H. Fair	Wm. McRohan	J. A. White
W. J. Fisher	Clark Macdonald	

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Resolved that the title thereof be as aforesaid.

Mr. Dunn moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The Speaker laid before the House the following communication, viz.:

Hon. John S. Milliken,
Frankfort, Kentucky.

Dear Speaker:

Inclosed you will find a list of Lobbyists registered in the office of the Attorney General for this session from January 22, 1928, up to and including January 28. This is furnished you in pursuance to a Resolution offered by Hon. J. G. Prather on January 18.

Very truly yours,

J. W. CAMMACK, *Attorney General.*

The list of lobbyists is as follows, viz.:

Lobbyists registered in the office of the Attorney General, Legislative Session 1928, from January 22, up to and including January 28, 1928.

Name	Address	Interest of
Jos. W. Morris	New Castle, Ky	Ky. Bus Assn.
Harry G. Smith	Louisville, Ky.	Ky. Bankers' Assn.
J. E. Scott	Lexington, Ky	St. Fed. of Labor
F. H. Tice	Lexington, Ky.	Master Plum. Assn.
W. C. Moores	Lexington, Ky.	Master Plum. Assn.
J. L. Zehnder	Louisville, Ky.	Master Plum. Assn.
B. F. Hurst	Richmond, Ky.	Master Plum. Assn.
Nelson Hurst	Richmond, Ky.	Master Plum. Assn.
J. L. Reichstetter		J. J. Huff
Geo. Ruff	Louisville, Ky.	Barbers Union Loc. 45
Clyde C. Hodges		Master Barber
J. H. Gray	Louisville, Ky.	Master Barber
J. J. Huff		Master Barber
Chas. Wakeland		Master Barber
S. B. Mayer	Louisville, Ky.	Lou. Auto. Club
Eugene Stuart	Louisville, Ky.	Lou. Auto. Club

Mr. Meyers moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, JANUARY 31, 1938.

The House was opened with prayer by the Reverend Father E. G. Klosterman of the Roman Catholic Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	W. M. Duncan	Phillip Helf
A. L. Allen	Thos. J. Dunn	J. R. Hobbs
S. E. Anderson	D. E. Edwards	J. S. Hollan
W. B. Ardery	J. W. Edwards	H. B. Holland
W. O. Bach	J. O. Evans	S. K. Holland
Walter J. Bailey	Virgil Eversole	Ira L. Horn
A. J. Baldridge	Chas. H. Fair	Robt. L. Horn
W. O. Baxter	W. J. Fisher	Josephus Howard
T. H. Benton	J. C. Flener	W. F. Hunter
W. P. Bowman	Duke W. Fowler	T. M. Johnson
Thos. L. Britton	Chas. B. Fulton	John C. Kemper
W. G. Buckner	J. B. Furlong	John B. Klefot
S. J. Bunger	F. A. Gnau	Porter J. Land
Sam P. Burnam	R. C. Graham	S. D. Laughlin
E. L. Campbell	W. T. Green	Leon P. Lewis
J. G. Campbell	E. L. Hagan	Wm. McClave
Chas. B. Carver	A. L. Hall	J. L. McKnight
Harry Cochran	John G. B. Hall	Wm. McRohan
John Cooper	T. W. Hardesty, Jr.	Clark Macdonald
J. O. Creech	Herman Handmaker	Luther Morse
C. B. Crossland	Brooks L. Hargrove	C. C. May
J. R. Dorman	C. W. Hawkins	Henry Meiman
E. J. Doss	Joseph M. Hayse	A. M. Mercer

Harry J. Meyers	W. H. Pryor	J. G. Swearingen
E. B. Miller	B. A. Robertson	Mac Swinford
L. P. Murphy	C. W. Ryans	J. B. Taylor
James H. Muse	Charles Smith	E. G. Thomas
L. C. Nell	Daniel Boone Smith	C. F. Thornton
Andrew Nichols	S. G. Smith	P. H. Vincent
J. H. Payne	M. E. Sparks	J. C. Watkins
Levi W. Powell	Dan Stamper	L. M. Weathers
J. G. Prather	Frank L. Strange	J. A. White

Mr. Ganu moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Hall moved that the privileges of the floor be extended to Hon. A. B. Holland.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 109. An Act to prevent the fraudulent operation of slot machines and coin receptacles, and to provide penalties for a violation thereof.

2. S. B. 2. An Act establishing as a part of the Primary System of State Highways a road from a point on the Bosworth Trail at or near Big Hill postoffice in Madison county, thence via Berea and Wallaceton to a point on the State Highway at or near Paint Lick in Garrard County.

3. S. B. 6. An Act to amend Section 5, Project 32, of Chapter 17 of the Acts of the General Assembly of 1920.

4. S. B. 13. An Act to add additional road projects to the Primary System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

5. S. B. 14. An Act establishing as a part of the Primary System of State Highways, a road from a point on the Bosworth Trail at or near the storehouse of R. T. Abney in Jackson County; thence by Scaffold Cane Church House to a point on the Dixie Highway at or near Round Stone, in Rockcastle county.

6. S. B. 16. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road running from Wickliffe, Ballard County, Kentucky, to East Cairo, Ballard County, Kentucky, said road to be designated by the State Highway Department with an appropriate project number.

7. S. B. 22. An Act establishing as a part of the Primary System of State Highways a road from a point on the State Highway in the city of Berea, in Madison County, to Scaffold Cane Church House in Rockcastle County.

8. S. B. 26. An Act establishing and making a road from and beginning at a point near Hall's Gap in Lincoln County, Kentucky, and running to Ottenheim, Lincoln County, Kentucky, thence to Crab Orchard, Lincoln County, Kentucky, a part of the Primary System of State Highways of the Commonwealth of Kentucky.

9. S. B. 27. An Act establishing and making the road from and beginning at a point three-quarters of a mile south of Shelby City, Boyle County, Kentucky, and running eight miles to Stanford, Lincoln County, Kentucky, a distance of approximately eight miles (now known as the Knob Lick Road) to be known in the future as the Isaac Shelby High-

way, a memorial to Kentucky's first Governor, and the same be and is hereby made a part of the Primary System of the State Highways of the Commonwealth of Kentucky.

10. S. B. 30. An Act establishing a road from Marion in Crittenden County, to Shady Grove, Crittenden County, and Providence, Webster County, as a part of the Primary System of State Highways, to be known as Project 108-a.

11. S. B. 31. An Act establishing a road from Marion, Crittenden County, to the landing opposite Elizabethtown, Hardin County, Illinois, as a part of the Primary System of State Highways, to be known as Project —.

12. S. B. 32. An Act relating to roads and bridges and amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920, by adding thereto Road Project — extending from Black's Ferry, Monroe County, to Meshack, Monroe County, and intersecting Project —, leading from Burkesville, Cumberland County, to Tompkinsville, Monroe County.

13. S. B. 34. An Act establishing as a part of the Primary System of State Highways a road from Tallega in Lee County to Boonesville in Owsley County.

14. S. B. 35. An Act establishing as a part of the Primary System of State Highways a road from Round Stone on the Dixie Highway in Rockcastle County, via Wildee and Clear Creek, near to R. T. Sibney's store on the Bosworth Trail in Jackson County.

15. S. B. 36. An Act relating to roads and highways, creating a road from Trenton, Kentucky, to Tennessee State line.

16. S. B. 37. An Act relating to roads from Elkton to Lewisburg, Kentucky.

17. S. B. 38. An Act adding to the Primary System of Roads a road connecting the road from Elkton to Greenville with the road from Henderson to Hopkinsville.

18. S. B. 41. An Act establishing a road from Marion, Crittenden County, to Eddyville in Lyon County, via Dycusburg in Crittenden County, as a part of the Primary System of State Highways to be known as Project —.

19. S. B. 45. An Act establishing a State Primary Road Project leading from Paintsville, Johnson County, to Raylton, Magoffin County.

20. S. B. 40. An Act to amend Project No. 34 of Section 5 of Chapter 17 of the Acts of the General Assembly of 1920, which is now Section 4356t-5 of Carroll's Kentucky Statutes, 1922 Edition, relating to roads and bridges and establishing a system of Primary Roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same, by adding thereto and extending said Project 34 from the mouth of Wolf Creek up Tug River via Oppy to Winco Block just above the Henry Stepp Branch.

21. S. B. 53. An Act to establish as a Primary Road Project to be known as Project — to begin at Madisonville, Hopkins County, via old abandoned railroad bed of the L. & N. to Slaughters, this section is known as Project —, thence by the newly constructed route via Belcourt to Sebree in Webster County, thence by route to be located to Robards, Henderson County, thence by way of the Knoblick by Anthos-ton to Henderson, a distance of 40 miles.

22. S. B. 57. An Act establishing a road from Morganfield, Kentucky, through Hitesville, to Henderson County line, to be known as Project —.

23. S. B. 58. An Act establishing a road from a point on the Federal Highway No. 60 near Sturgis, Kentucky, running near or through Pride, Union County, Kentucky, to a point on the proposed Shawnee Trail at or near Little Union Church near Morganfield, Kentucky, to be known as Project —.

24. S. B. 59. An Act establishing a road from Boxville in Union County to a point on Highland Creek, the dividing line between Union and Henderson counties, near Herman Valley, in Union County, known as a part of the Primary System of State Highways, to be known as Project —.

25. S. B. 63. An Act to amend Kentucky Statutes, Section 4356t-5, relating to the Primary System of State Highways.

26. S. B. 64. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing road leading from Yosemite, Casey County, thence to Kings Mountain, Lincoln County, Kentucky, and on to a point nearby intersecting the State Highway running between Danville, Kentucky, and Somerset, Kentucky, be and is hereby made a part of the State Primary System of Highways.

27. S. B. 65. An Act entitled "An Act establishing and making the road from Hustonville, Lincoln County, Kentucky, to Mt. Salem, Lincoln County, Kentucky, a part of the Primary System of State Highways of the Commonwealth of Kentucky and designating said road as Project —.

28. S. B. 66. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County, thence to Turnersville, Lincoln County, be and is

hereby made a part of the State Primary System of Highways.

29. S. B. 74. An Act relating to roads and bridges and amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920 by adding thereto Road Project — extending from Shepherdsville in Bullitt County, to Bardstown in Nelson County, via Cedar Grove and Solitude.

30. S. B. 75. An Act relating to roads and bridges and amending Chapter 17 of the Acts of 1920 by adding thereto Road Project — extending from Shepherdsville in Bullitt County, to Bardstown in Nelson County, via Cedar Grove and Samuels.

31. S. B. 79. An Act to amend Section 4356t-5 Kentucky Statutes relating to the System of Primary State Roads, by including therein a road extending from Clinton, Hickman County, to Oakton in said county.

32. S. B. 85. An Act establishing a State Primary Road Project from the Mayo Trail at or near the mouth of Bolt's Fork to the Kilgore Trace road.

33. S. B. 91. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which Act relates to roads and bridges, etc.

34. S. B. 92. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which related to roads and bridges, etc.

35. S. B. 93. An Act establishing as part of the State Highway System of roads leading from the Yelvington and

Owensboro road via Maco to the Rockport Ferry in Daviess County, Kentucky.

36. S. B. 96. An Act to amend and re-enact Chapter 248, page 952, of the 1926 Acts of the General Assembly of Kentucky relating to roads, bridges and highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

37. S. B. 98. An Act establishing as part of the State Highway System of roads leading from Island-Livermore road to Rumsey, Kentucky, via Basin.

38. S. B. 100. An Act to add to the public highways of the State a road from Dixon to Sebree via Ortix, Webster County.

39. S. B. 107. An Act relating to roads and bridges and establishing a new project to be a part of the State Primary System of roads, beginning at the Garrett Highway at or near the mouth of Lick Branch and extending to Tug River at or near the West Virginia Highway.

40. S. B. 108. An Act to establish a State Primary Road Project from Project 34 near Paintsville, in Johnson County, Kentucky, via Davis Branch and the Big Sandy River to intersection of State Highway Project No. 39 and 195.

41. S. B. 114. An Act establishing a road from Coss Creek, Kentucky, to Taylorsville, Kentucky, via Fairfield and Little Union, as part of the Primary System of State Highways, and designating said project as Project No. 3b.

42. S. B. 115. An Act establishing a road from Springfield, Kentucky, to Chaplin, Kentucky, via Mount Zion and

Tunnill Mill, as a part of the Primary System of State Highways, and designating said project as Project No. 44b.

43. S. B. 116. An Act establishing a road from a point near Chaplin, Kentucky, in Project 44 to Mt. Eden, Kentucky, via Green's Chapel and Van Buren, as part of the Primary System of State Highways, and designating said project as Project 44a.

44. S. B. 117. An Act establishing State Primary Road Project No. — from Wisdom, Metcalfe County, via Randolph, to a point in the Burkesville-Glasgow road, approximately 7 miles.

45. S. B. 119. An Act to amend the Primary Road System by adding Project — thereto from Princeton to Dixon, Kentucky.

46. S. B. 122. An Act relating to roads and bridges and establishing and creating a Road Project — extending from a point on Project 8 at or near Nick Mills in Meade County to a point on Project 198 between Tom Hobbs' place and the Hall Schoolhouse in Meade County as a State Primary road.

47. S. B. 124. An Act relating to roads and bridges and establishing and creating a Road Project — extending from Bardstown Junction in Bullitt County to Bardstown in Nelson County, via Clermont and Deatsville, as a State Primary Road.

49. S. B. 125. An Act to amend Section 4356t-5 Kentucky Statutes, Carroll's Edition of 1922, relating to the System of Primary State Roads, by including in said Primary System of State Roads a road leading from Project 9 at

Rock, Graves County, Kentucky, south to the Tennessee River, etc.

50. S. B. 132. An Act to amend the Primary Road System by adding Project — thereto from Murray, Calloway County via Coldwater to Mayfield, Graves County.

51. S. B. 133. An Act to amend the Primary System by adding Project — thereto from Murray, Calloway County, to Pine Bluff on Tennessee River.

52. S. B. 134. An Act to amend the Primary Road System by adding Project — thereto from Eddyville, Lyon County, to Golden Pond, Trigg County, between the rivers through game preserve.

53. S. B. 135. An Act to amend the Primary Road System by adding thereto Project — from Princeton, Caldwell County, via Cobb and Cerulean to Gracey, Christian County.

54. S. B. 136. An Act to amend the Primary Road System by adding thereto Project — from Cadiz, Trigg County, via Cerulean to Hopkinsville and Princeton road in Christian County.

55. S. B. 138. An Act to amend and re-enact Chapter 17 of the Acts of the General Assembly of Kentucky of 1920 (Section 4356t-5 Kentucky Statutes) Carroll's Edition of 1922, as amended, relating to roads, bridges and highways, by adding thereto a new project to be designated as Project No. 29a.

Ordered that said bills be printed and referred as follows, viz.:

1. To Committee on Kentucky Statutes.

2 to 55, inclusive. To Committee on Roads and Highways No. 3.

And that they had refused to concur in an Amendment adopted by this House to a Resolution entitled:

S. Res. 4. Resolution providing for a temporary assistant and a temporary combined bookkeeper-stenographer for the office of the State Superintendent of Public Printing and fixing the per diem of each.

(For Resolution, see House Journal of January 14, and Amendment thereto.)

Mr. Thornton moved that the House do now recede from said Amendment.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Graham and Hargrove were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	C. W. Hawkins	A. M. Mercer
A. L. Allen	Joseph M. Hayse	Harry J. Meyers
A. J. Baldrige	Phillip Helf	L. C. Nell
W. G. Buckner	J. R. Hobbs	J. H. Payne
Sam P. Burnam	S. K. Holland	Levi W. Powell
E. L. Campbell	Ira L. Horn	C. W. Ryans
J. G. Campbell	Josephus Howard	Charles Smith
C. B. Crossland	W. F. Hunter	S. G. Smith
W. M. Duncan	John C. Kemper	Dan Stamper
Thos. J. Dunn	Porter J. Land	J. B. Taylor
J. C. Flener	Wm. McClave	E. G. Thomas
Chas. B. Fulton	J. L. McKnight	C. F. Thornton
R. C. Graham	Clark Macdonald	J. C. Watkins
Herman Handmaker	Henry Meiman	J. A. White

Those who voted in the negative were—

S. E. Anderson	Chas. H. Fair	Leon P. Lewis
W. B. Ardery	W. J. Fisher	Wm. McRohan
W. O. Bach	Duke W. Fowler	Luther Morse
Walter J. Bailey	J. B. Furlong	C. C. May
W. O. Baxter	F. A. Gnau	E. B. Miller
T. H. Benton	W. T. Green	James H. Muse
W. P. Bowman	E. L. Hagan	Andrew Nichols
Thos. L. Britton	A. L. Hall	J. G. Prather
S. J. Bunger	John G. B. Hall	W. H. Pryor
Chas. B. Carver	T. W. Hardesty, Jr.	B. A. Robertson
Harry Cochran	Brooks L. Hargrove	Daniel Boone Smith
John Cooper	J. S. Hollan	M. E. Sparks
J. O. Creech	H. B. Holland	J. G. Swearingen
J. R. Dorman	Robt. L. Horn	Mac Swinford
E. J. Doss	Lester Jeter	P. H. Vincent
D. E. Edwards	T. M. Johnson	L. M. Weathers
J. W. Edwards	John B. Klefot	
J. O. Evans	S. D. Laughlin	

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Mr. Hayse moved the previous question.

The Speaker announced, "Shall the main question be now put?"

The question being taken thereon, it was decided in the affirmative.

Mr. Swinford moved that the House insist on said Amendment.

Said motion was agreed to.

Mr. Meyers moved that a Committee of five members be appointed by the Speaker as conferees on the part of the House to take under advisement the difference between the two Houses appertaining to said Resolution and that the

Senate be requested to appoint a similar Committee of Conferees on the part of the Senate to meet with the said Conferees on the part of the House in an effort to reach an agreement as to said differences and to make all proper report.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Swinford, Thornton, Meyers, Jeter and Ardery as the Conferees on the part of the House.

Upon a call of the Counties and Legislative Districts, the following bills and resolution were introduced, ordered printed and referred as follows, viz.:

By Mr. Bailey:

H. Res. No. 4. Joint Resolution providing for the purchase and installment of a radio broadcasting station in the House of Representatives and Senate during the regular and special sessions of the General Assembly.

To Committee on Kentucky Statutes.

By Mr. Vincent:

H. B. 389. An Act to amend Chapter 29 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1924, and changing the time of holding Court in the Thirty-fourth Judicial District, composed of Boyd and Lawrence Counties, and fixing the time therefor, relating to Circuit Courts, and declaring an emergency, said Act being found on page 44 of the Acts of 1924.

To Committee on Circuit Courts.

By Mr. Alcock:

H. B. 390. An Act placing a road in Boyle County, Kentucky, upon the Primary System of Roads in Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Alcock:

H. B. 391. An Act placing a road in Boyle County, Kentucky, upon the Primary System of roads in Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Flener:

H. B. 392. An Act establishing State Highway Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Flener:

H. B. 393. An Act establishing State Highway Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Flener:

H. B. 394. An Act establishing State Highway Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Flener:

H. B. 395. An Act establishing State Highway Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Flener:

H. B. 396. An Act establishing State Highway Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Land:

H. B. 397. An Act to provide for the creating and organization of a city planning and zoning commission for cities of the second class, and to prescribe and regulate the powers and duties of such commission.

To Committee on Cities of 2nd and 3rd Class.

By Mr. Mercer:

H. B. 398. An Act establishing a road from U. S. Highway No. 41 in Green County to Bonnieville, Ky., in Hart County.

To Committee on Roads and Highways No. 2.

By Mr. Hall:

H. B. 399. An Act to amend and re-enact sub-section 3490 of Carroll's Kentucky Statutes, Sixth Edition, 1922. Cities 4th Class, taxing occupations.

To Committee on Cities of 4th Class.

By Mr. Hall:

H. B. 400. An Act to amend and re-enact Chapter 95, Carroll's Kentucky Statutes, Sixth Edition, 1922, County Patrols.

To Committee on County and City Courts.

By Mr. Cochran:

H. B. 401. An Act establishing and making a road from Project No. 18 near Early Times to Maud on Project No. 1-a, by way of Woodlawn, following as near as possible the present route, as a part of the Primary System of State Highways, and designating said project as Project No. 1-N.

To Committee on Roads and Highways No. 2.

By Mr. Lewis:

H. B. 402. An Act to amend, revise and re-enact paragraph 2 (a) of Section 67 and Sections 136 and 160 of an Act relating to and amending the charter of cities of the First Class, the short title of which is "City Government Bill, Cities of the First Class," approved March 22, 1926, and being Chapter 115 of the Acts of the General Assembly of the Commonwealth of Kentucky for 1926.

To Committee on Cities of the 1st Class.

By Mr. Meyers:

H. B. 403. An Act to regulate the conditional sale of personal property.

To Committee on Cities of Second and Third Class.

By Mr. Meyers:

H. B. 404. An Act to amend and re-enact Section 201E-23 of the Sixth Edition of Kentucky Statutes 1922, edited by John D. Carroll, and which section of said Statutes is Section 23 of Chapter 61 of the Acts of 1920 Session of the General Assembly of the Commonwealth of Kentucky, relating to the powers and duties of the Railroad Commission.

To Committee on Railroads.

By Mr. Burnam:

H. B. 405. An Act prescribing terms and conditions upon and under which plats or maps laying out or offering for dedication any public way or easement in the territory within limits of cities of the fourth class may be recorded in the office of the Clerk of the County Courts and prescribing penalties for the lodging for record in the said office plats or maps and the receiving of or recording the same by any county court clerk or his deputy contrary to the provisions of this Act.

To Committee on Kentucky Statutes.

By Mr. Doss:

H. B. 406. An Act repealing Sections 1486 to 1506 inclusive, of Kentucky Statutes, Carroll's 1922 Edition, relating to registration in certain cities and towns, including cities of the fourth class, and enacting in lieu thereof an Act providing for registration for elections in cities of the fourth class, including those having population of less than five thousand.

To Committee on Cities of 4th Class.

By Mr. Holland:

H. B. 407. An Act to amend Section ten (10) and eleven (11) of Chapter 64, Acts of the General Assembly of the Commonwealth of Kentucky 1924, "An Act relating to Registration for elections in cities and towns having a population of 5,000 inhabitants or more," approved March 21, 1924.

To Committee on Kentucky Statutes.

By Mr. Nichols:

H. B. 408. An Act directing the submission of an amendment to the Constitution of the Commonwealth of Kentucky by striking therefrom Section 209.

To Committee on Constitutional Amendments.

By Mr. Lewis:

H. B. 409. An Act to repeal and re-enact Section 2906 of the Kentucky Statutes (Carroll's Edition, 1922) relating to the office of assessor in cities of the First Class and his deputies and assistants, and providing that from and after the expiration of the term of office of the present City Assessor, in said cities, the City Assessor shall cease to be elected by the General Council; that the present City Assessor shall hold office until his successor is appointed and qualified; and further providing the manner of appointment of said City Assessor and his deputies, and their qualifications, duties and powers.

To Committee on Cities of the 1st Class.

By Mr. Graham:

H. B. 410. An Act to permit the L. H. Fuqua Tire Company to sue the Commonwealth of Kentucky.

To Committee on Claims.

By Mr. Thomas:

H. B. 411. An Act providing for the construction and reconstruction of sidewalks along or over any boulevards, parkways, avenues, driveways, or other public park property which are under the control of the Board of Park Commissioners in cities of the first class; providing the manner in which such construction and reconstruction shall be made under the supervision of the Board of Public Works and prescribing the method by which the cost thereof shall be apportioned against contiguous property.

To Committee on Cities of the First Class.

The Committee to which the same had been previously referred, reported bills of the following titles, viz.:

Mr. J. S. Hollan of the Committee on Cities of the 4th Class:

H. B. 140. An Act amending and re-enacting Section 13 of an Act entitled, "An Act defining boundaries for school districts embracing cities of the 4th Class, and providing systems of schools in such districts and creating board of education for such districts, providing for election thereof, defining their powers and duties and repealing all laws in conflict therewith," approved March 13, 1920, and is now Section 5587A-13, Carroll's 1922 Edition of the Kentucky Statutes.

With Amendments thereto.

H. B. 266. An Act empowering and authorizing cities of the 4th Class to receive or purchase lands for Parks and Playgrounds.

By Mr. Gnau of the Committee on Cities of the 1st Class:

H. B. 115. An Act relating to revenue and taxation in municipal corporations of the first class and in cities of the first class, providing that no municipal corporation of the first class or city of the first class shall impose a license, excise or privilege tax upon any person, firm or corporation for the privilege of operating motor vehicles.

By Mr. Cochran of the Committee on Cities of the 5th and 6th Class:

H. B. 8. An Act to amend and re-enact Sections 3643-1, 3643-2, 3643-3, and 3643-13 of the Kentucky Statutes, Carroll's Edition, 1915, and as re-written in the 1922 Edition, authorizing and empowering the City Council of cities of the fifth class to regulate the improvement of sidewalks, curbing, sewers, streets, avenues, highways and public places of said towns.

By Mr. Buckner of the Committee on Confederate Home:

H. B. 187. An Act to repeal and re-enact Sections 6, 9a, and 15 of an Act to repeal and re-enact an Act granting pensions to indigent Confederate Soldiers, etc.

By Mr. Johnson of the Committee on Court of Appeals:

H. B. 186. An Act to give relief to the Court of Appeals by giving it authority to appoint four commissioners of said court, prescribing their qualifications, and term of office, their method of selection, their salary, and for clerical assistance.

By Mr. Prather of the Committee on Education No. 1:

H. B. 168. An Act requiring that all teachers in public schools shall keep daily a record of hours of actual service, filing same with supervising officer to become records of boards of education; and that the State Department of Education shall provide blanks for said records; and that employing boards shall pay salaries in accordance with hours of actual service indicated in such report.

With Amendment thereto.

H. B. 132. An Act providing free Textbooks for all the children of the State who attend free Public Schools, grades one to eight, inclusive.

With Amendments thereto.

By Mr. R. L. Horn of the Committee on Juvenile Courts and Children's Homes:

H. B. 103. An Act to amend and re-enact Section 331e-17 relating to appointment and salary of stenographer for Juvenile Court in counties having a city of first and second class and fixing compensation for said stenographer.

H. B. 126. An Act to promote the welfare of the delinquent, neglected, dependent or defective children of the State; repealing Chapter 107 of the Acts of 1922 and abolishing The Kentucky Child Welfare Commission created thereby; creating in its place a bureau with duties, functions, rights and powers of the Kentucky Child Welfare Commission to be known as "The Kentucky Children's Bureau" and defining and prescribing its duties and functions; providing for the creation of Children's Bureaus in each county, and defining and prescribing their duties and functions; provid-

ing for the establishment of a State Mothers' Aid Fund and County Mothers' Aid Funds in each county to be administered under the State or County Children's Bureau respectively; providing for the administering of Mothers' Aid throughout the State; making an appropriation for the benefit of the Kentucky Children's Bureau, and the State Mothers' Aid Fund; and authorizing county levies for the establishment of County Mothers' Aid Funds.

With Amendments thereto.

By Mr. S. K. Holland of the Committee on Kentucky Statutes:

H. B. 111. An Act to define type to be used in recordable instrument.

By Mr. Furlong of the Committee on County and City Courts:

H. B. 315. An Act to amend and re-enact Section 331e-5 Kentucky Statutes, Edition 1922, relating to the trial of juvenile offenders and allowing an appeal from the judgment of the Juvenile Court in such cases.

H. B. 347. An Act to authorize the regular Judge of a Quarterly Court to sign unsigned judgments rendered by another Judge of said court.

H. B. 323. An Act to amend and re-enact Section 2 of Chapter 52 of the Acts of the General Assembly of 1926 and fix the maximum per diem and expenses that any county board member may draw in any one year at one hundred dollars.

With the expression of opinion that said bills ought to pass.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Furlong of the Committee on County and City Courts:

H. B. 270. An Act to amend an Act entitled "Police Court; Judge; Election; Qualification; Salary," which is Section 3146 Carroll's Statutes, 1922.

H. B. 260. An Act creating the office of Assistant County Attorney in counties having a population of over fifty thousand people and not having a city of the first class and second class; the manner of appointment, term of office, compensation, duties and qualifications.

H. B. 295. An Act to amend and re-enact Section 1851B-2 of the Kentucky Statutes (Carroll's 1922) providing for the appointment, term, duties, and compensation of the clerk of Fiscal Court, deputy clerk and stenographer, Jefferson County, Kentucky.

H. B. 298. An Act to repeal and re-enact Section 440, Carroll's Kentucky Statutes, Sixth Edition, 1922.

H. B. 299. An Act regulating magistrates' courts as prescribed by Section 142 of the Constitution of Kentucky.

Without expression of opinion as to the last above named bills.

Said bills were read at length the first time and ordered to be placed on the Calendar.

The Committees to which the same had been referred, reported bills of the following titles, viz.:

By Mr. Furlong of the Committee on County and City Courts:

H. B. 294. An Act to amend Section 4 of Chapter 43 of the Acts of the General Assembly of 1914, as amended by Chapter 41, Acts of the General Assembly of 1926.

H. B. 290. An Act to repeal "An Act requiring county Judges, police Judges, Justices of the Peace and Clerks of the Circuit Courts to keep a record book in which all judgments, civil and criminal, shall be entered and cross-indexed, and imposing penalties for failure so to do," by repealing Chapter 45 of the Acts of the General Assembly in its entirety.

H. B. 283. An Act to amend Section 938G-2 Kentucky Statutes, relating to water district commissioners, term, salary.

With the expression of opinion that said bill ought not to pass.

No motion having been made to advance said bill to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken by the House on said Bill, it was ordered that said bill be rejected.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 297. An Act concerning the duties of the County Clerk in Counties containing cities of the First Class in making out tax bills and certifying same to sheriff for collection

H. B. 235. An Act to enable cities of the first class at any time or times and as often as the mayor and legislative body of such city shall deem for its best interest to project, construct and establish a system of sewers or successive systems

of sewers for the disposition of sewage of such city and to project, construct, and establish such system or systems with a view to either or both the then needs of such city or in anticipation of the future needs of such city.

Ordered that said bills be read the second time.

The Constitutional provisions as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Evans moved that when the hour of 12 o'clock Meridian arrives, that the House recess for one hour and that the hour of adjournment for today be fixed at 3 o'clock P. M.

Said motion was disagreed to.

Mr. Meyers moved that when the House adjourned today it be to meet tomorrow morning at 10 o'clock.

Said motion was agreed to.

The hour of 11 o'clock A. M. having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration said Special Order, viz.:

H. B. 120. An Act to amend an Act to amend and reenact Section 911 of the Kentucky Statutes, Carroll's Edition 1915, relating to official indexers, approved March 23, 1920, being Section 911 of Carroll's Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 911 of the Kentucky Statutes, Carroll's 1922 edition be and the same is hereby amended by striking out the words "twelve thousand and five hundred " and inserting in lieu thereof the words "sixteen thousand" so that said section as amended shall read:

"The official indexer appointed as aforesaid shall receive for his services a sum fixed by the judges appointing and confirming him not exceeding the constitutional limitation, and said indexer may appoint his own assistants subject to the approval of the county judge but their compensation shall be fixed by the official indexer with the approval of the county judge and such compensation shall be paid as the salary of the county judge is paid: Provided, however, that at no time shall the total expense annually under this act exceed the sum of sixteen thousand dollars. This shall apply only to counties having cities of the first class."

State of Kentucky,
County of Jefferson.

General Term,
Jefferson Circuit Court

Saturday, February 6, 1926.

Having made inquiry as to the office of the Official Indexer of Jefferson County, the volume and character of the works since its creation, the large and steady increase during recent years, the amount of work completed and the amount of current work at present incompletd, because of a force obviously insufficient in numbers, and having considered present and future needs, the Judges of the Jefferson Circuit Court are of opinion that, in order that the public service designed and required may be reasonably adequate, an increase in the amount allowed by Statute for the maintenance and

operation of the office, permitting an increase in the force, is advisable.

THOS. R. GORDON, Judge.

WILLIAM KRIEGER, Judge.

LAFON ALLEN, Judge.

H. S. BARKER, Judge, Third Div

A. T. BURGEVIN, Judge.

DAVIS W. EDWARDS, Judge.

HENRY I. FOX, Judge.

Jefferson County Court.

A Copy,

ATTEST: LOUIS VISSMAN, Clerk.

By: ALBERT S. REED, D. C.

COMMITTEE ON RECORDS

We, the Committee of the lawyers appointed by the General Term, of Jefferson Circuit Court, consisting of the Judges of said Circuit Court, hereby approve the above, and request the legislature to enact such legislation as may be necessary to empower the County Judge to increase the personnel of the office of the Official Index of Jefferson County.

Mr. Gnau offered the following Amendment to said bill, viz.:

“Amend H. B. 120 by striking therefrom in lines 3, 4, 12, and 13, paragraph 1 of the printed bill, the words ‘sixteen thousand’ and inserting in lieu thereof the words ‘fourteen thousand seven hundred.’ ”

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being

engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. C. Flener	Clark Macdonald
A. L. Allen	Chas. B. Fulton	Luther Morse
S. E. Anderson	J. B. Furlong	C. C. May
W. B. Ardery	R. C. Graham	A. M. Mercer
Walter J. Bailey	W. T. Green	Harry J. Meyers
A. J. Baldridge	T. W. Hardesty, Jr.	E. B. Miller
W. O. Baxter	Herman Handmaker	James H. Muse
T. H. Benton	Brooks L. Hargrove	L. C. Nell
Thos. L. Britton	C. W. Hawkins	J. H. Payne
W. G. Buckner	Joseph M. Hayse	Levi W. Powell
S. J. Bunger	Phillip Helf	W. H. Pryor
Sam P. Burnam	J. R. Hobbs	C. W. Ryans
E. L. Campbell	J. S. Hollan	Daniel Boone Smith
Chas. B. Carver	H. B. Holland	S. G. Smith
John Cooper	S. K. Holland	M. E. Sparks
J. O. Creech	Ira L. Horn	Dan Stamper
C. B. Crossland	Robt. L. Horn	J. G. Swearingen
J. R. Dorman	Lester Jeter	Mac Swinford
E. J. Doss	T. M. Johnson	J. B. Taylor
W. M. Duncan	John C. Kemper	E. G. Thomas
D. E. Edwards	Porter J. Land	C. F. Thornton
J. W. Edwards	S. D. Laughlin	P. H. Vincent
Virgil Eversole	Wm. McClave	J. C. Watkins
W. J. Fisher	J. L. McKnight	J. A. White

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Those who voted in the negative were—

J. O. Evans	John B. Klefot	Andrew Nichols
Duke W. Fowler	Leon P. Lewis	Charles Smith
F. A. Gnau	Wm. McRohan	L. M. Weathers

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Resolved that the title thereof be as aforesaid.

Mr. Hayse moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Payne moved that the Rules be suspended and that the House take up for consideration from the Clerk's desk a resolution entitled:

S. Res. 8. Resolution allowing the per diem of the late Representative Moorman B. Daniel, had he lived to the end of the session.

Said Resolution is as follows, viz.:

Concurrent Resolution of the Senate of Kentucky and the House of Representatives of the General Assembly on the payment of the per diem, mileage, stationery, etc., due the late Moorman B. Daniel, a member of the General Assembly.

Be it resolved by the Senate of Kentucky, and the House of Representatives concurring herein:

That whereas, Moorman B. Daniel, a member of the General Assembly of the State of Kentucky, died on the 11th day of January, 1928, during the session of the present General Assembly, and

Whereas, there was due him from the Commonwealth his per diem, mileage, stationery and chairman of the committee, and

Whereas, he left surviving him a sister, Lucy Ellen Daniel, of Clinton, Hickman County, Kentucky, whose education the said Moorman B. Daniel was providing for, now therefore be it resolved by the Senate of Kentucky and the House of Representatives concurring herein, that up to the

date of this death there was due him from the Commonwealth the following sums:

Per diem	\$90.00
Mileage	101.70
Stationery	20.00
Chairman Committee	5.00

Total	\$216.70
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That said amount should be payable to his estate and the balance for his per diem had he served out his full term would be Six Hundred Thirty (\$630.00) Dollars, which sum shall be paid to his sister, Lucy Ellen Daniel, of Clinton, Hickman County, Kentucky, and the Clerk of the House is hereby directed to issue his order on the Auditor for the said sums and payable to the said persons above mentioned and the Auditor will issue his warrant on the Treasurer for said amounts.

Said Resolution was adopted.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. G. Campbell	Virgil Eversole
A. L. Allen	Chas. B. Carver	Chas. H. Fair
S. E. Anderson	Harry Cochran	W. J. Fisher
W. B. Ardery	John Cooper	J. C. Flener
W. O. Bach	J. O. Creech	Duke W. Fowler
Walter J. Bailey	C. B. Crossland	Chas. B. Fulton
A. J. Baldrige	J. R. Dorman	J. B. Furlong
T. H. Benton	E. J. Doss	F. A. Gnau
W. P. Bowman	W. M. Duncan	R. C. Graham
W. G. Buckner	Thos. J. Dunn	W. T. Green
S. J. Bunger	D. E. Edwards	E. L. Hagan
Sam P. Burnam	J. W. Edwards	A. L. Hall
E. L. Campbell	J. O. Evans	T. W. Hardesty, Jr.

Herman Handmaker	Leon P. Lewis	C. W. Ryans
Brooks L. Hargrove	Wm. McClave	Charles Smith
C. W. Hawkins	J. L. McKnight	Daniel Boone Smith
Joseph M. Hayse	Wm. McRohan	S. G. Smith
Phillip Helf	Clark Macdonald	M. E. Sparks
J. R. Hobbs	Luther Morse	Dan Stamper
J. S. Hollan	Henry Meiman	J. G. Swearingen
H. B. Holland	Harry J. Meyers	Mac Swinford
S. K. Holland	E. B. Miller	J. B. Taylor
Ira L. Horn	James H. Muse	E. G. Thomas
Josephus Howard	L. C. Nell	C. F. Thornton
W. F. Hunter	Andrew Nichols	P. H. Vincent
Lester Jeter	J. H. Payne	J. C. Watkins
T. M. Johnson	Levi W. Powell	L. M. Weathers
John C. Kemper	J. G. Prather	J. A. White
Porter J. Land	W. H. Pryor	
S. D. Laughlin	B. A. Robertson	

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There voted in the negative—

John G. B. Hall

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The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 39. An Act to repeal and re-enact Section 218, Kentucky Statutes, 1915 Edition, relating to remarriage of divorced person.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2118, Kentucky Statutes, 1915 Edition, be and the same is hereby repealed, and there is now enacted in lieu thereof the following, to-wit:

“Section 2118. A judgment of divorce authorizes either party to marry again.”

§ 2. All laws or parts of laws conflicting with the provisions of this act are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays beng taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. W. Edwards	Josephus Howard
A. L. Allen	Virgil Eversole	W. F. Hunter
S. E. Anderson	Chas. H. Fair	T. M. Johnson
W. B. Ardery	W. J. Fisher	John C. Kemper
Walter J. Bailey	J. C. Flener	John B. Klefot
W. O. Baxter	Duke W. Fowler	Porter J. Land
T. H. Benton	Chas. B. Fulton	S. D. Laughlin
W. P. Bowman	J. B. Furlong	Leon P. Lewis
Thos. L. Britton	F. A. Gnau	J. L. McKnight
W. G. Buckner	R. C. Graham	Wm. McRohan
S. J. Bunger	W. T. Green	Clark Macdonald
Sam P. Burnam	E. L. Hagan	Luther Morse
E. L. Campbell	John G. B. Hall	C. C. May
J. G. Campbell	T. W. Hardesty, Jr.	Henry Meiman
Chas. B. Carver	Herman Handmaker	A. M. Mercer
Harry Cochran	C. W. Hawkins	Harry J. Meyers
John Cooper	Joseph M. Hayse	James H. Muse
J. O. Creech	Phillip Helf	L. C. Nell
C. B. Crossland	J. R. Hobbs	Andrew Nichols
J. R. Dorman	J. S. Hollan	J. H. Payne
E. J. Doss	H. B. Holland	J. G. Prather
W. M. Duncan	S. K. Holland	W. H. Pryor
Thos. J. Dunn	Ira L. Horn	B. A. Robertson
D. E. Edwards	Robt. L. Horn	C. W. Ryans

Charles Smith	Frank L. Strange	J. C. Watkins
Daniel Boone Smith	Mac Swinford	L. M. Weathers
S. G. Smith	J. B. Taylor	J. A. White
M. E. Sparks	E. G. Thomas	
Dan Stamper	C. F. Thornton	

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Resolved that the title thereof be as aforesaid.

Mr. Ganu moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 110. An Act to repeal an Act entitled "An Act providing for the better government, administration and discipline of the police and fire departments of cities of the third class, and to create and perpetuate a pension fund for disabled police and firemen in such cities, their widows and children and dependent fathers and mothers and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after service of a term of years, and to provide revenue for the payment of same" which Act was approved March 25, 1926, and is now Chapter 132 Acts of the General Assembly of 1926.

Mr. Meyers moved that said bill be made a Special Order of the Day for tomorrow immediately following the three Special Orders heretofore fixed for the hour of eleven A. M.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 131. An Act to amend and re-enact Section 3142B-4 of the Edition of the Kentucky Statutes compiled and edited by John D. Carroll.

Mr. Meyers moved that said bill be made a Special Order of the Day for next Thursday, February 7, at eleven o'clock A. M.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 100. An Act to repeal the charter of Martinsburg, Elliott county, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Charter and Act of the General Assembly of Kentucky incorporating the town of Martinsburg, in Elliott County, Kentucky, approved March 1871, and all acts amendatory thereof, are hereby repealed.

This act to take effect sixty days from the date of its passage.

Ordered that said bill be read the third time.

The Constitutional Provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. B. Furlong	Clark Macdonald
A. L. Allen	F. A. Gnau	Luther Morse
S. E. Anderson	W. T. Green	C. C. May
W. B. Ardery	E. L. Hagan	Henry Meiman
A. J. Baldrige	A. L. Hall	A. M. Mercer
W. O. Baxter	John G. B. Hall	Harry J. Meyers
T. H. Benton	Herman Handmaker	E. B. Miller
W. P. Bowman	Brooks L. Hargrove	James H. Muse
Thos. L. Britton	C. W. Hawkins	L. C. Nell
W. G. Buckner	Joseph M. Hayse	Andrew Nichols
S. J. Bungler	Phillip Helf	J. G. Prather
E. L. Campbell	J. R. Hobbs	W. H. Pryor
J. G. Campbell	J. S. Hollan	B. A. Robertson
Chas. B. Carver	H. B. Holland	C. W. Ryans
Harry Cochran	S. K. Holland	Charles Smith
John Cooper	Ira L. Horn	S. G. Smith
C. B. Crossland	Robt. L. Horn	M. E. Sparks
J. R. Dorman	W. F. Hunter	Dan Stamper
E. J. Doss	Lester Jeter	J. G. Swearingen
W. M. Duncan	John C. Kemper	Mac Swinford
Thos. J. Dunn	John B. Klefot	E. G. Thomas
D. E. Edwards	Porter J. Land	C. F. Thornton
J. W. Edwards	S. D. Laughlin	P. H. Vincent
J. O. Evans	Leon P. Lewis	J. C. Watkins
Virgil Eversole	Wm. McClave	L. M. Weathers
Chas. H. Fair	J. L. McKnight	J. A. White
Chas. B. Fulton	Wm. McRohan	

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Resolved that the title thereof be as aforesaid.

Mr. Sparks moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 47. An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams, so as to connect such cities with an adjoining State; providing for a commission in such cities of the first class to construct, operate, control and maintain such bridges and fixing the powers and duties of such commission and providing for the revenue bonds of such cities to pay the cost thereof payable solely through bridge tolls without the incurrence of indebtedness of any such city.

Mr. Ryan moved that said bill lie on the Clerk's desk

Said motion was agreed to.

Mr. Crossland of the Committee on Enrollment reported that they had examined and found to be correctly enrolled a bill of the following title:

S. B. 5. An Act to amend an Act relating to the holding of Circuit Courts.

Thereupon all other business was suspended, said bill was read at length and compared in open session and thereupon the Speaker in open session and in the presence of the House affixed his signature thereto.

Ordered that the Chief Clerk deliver said bill to the Enrolling Clerk of the Senate.

Mr. Crossland moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 1, 1928.

The House was opened with prayer by the Reverend Father E. G. Klosterman of the Roman Catholic Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	J. C. Flener	J. L. Manning
A. L. Allen	Duke W. Fowler	Luther Morse
S. E. Anderson	Chas. B. Fulton	C. C. May
W. B. Ardery	F. A. Gnau	Henry Meiman
W. O. Bach	R. C. Graham	A. M. Mercer
Walter J. Bailey	W. T. Green	Harry J. Meyers
A. J. Baldridge	E. L. Hagan	E. B. Miller
W. O. Baxter	A. L. Hall	James H. Muse
T. H. Benton	John G. B. Hall	L. C. Nell
W. P. Bowman	Herman Handmaker	Andrew Nichols
Thos. L. Britton	Brooks L. Hargrove	J. H. Payne
W. G. Buckner	C. W. Hawkins	Levi W. Powell
S. J. Bunger	Joseph M. Hayse	J. G. Prather
Sam P. Burnam	J. R. Hobbs	W. H. Pryor
E. L. Campbell	J. S. Hollan	B. A. Robertson
J. G. Campbell	H. B. Holland	C. W. Ryans
Chas. B. Carver	S. K. Holland	Charles Smith
Harry Cochran	Ira L. Horn	Daniel Boone Smith
John Cooper	Robt. L. Horn	S. G. Smith
J. O. Creech	Josephus Howard	M. E. Sparks
C. B. Crossland	W. F. Hunter	Dan Stamper
J. R. Dorman	Lester Jeter	Frank L. Strange
E. J. Doss	John C. Kemper	J. G. Swearingen
W. M. Duncan	John B. Klefot	Mac Swinford
Thos. J. Dunn	Porter J. Land	J. B. Taylor
D. E. Edwards	S. D. Laughlin	E. G. Thomas
J. W. Edwards	Leon P. Lewis	C. F. Thornton
J. O. Evans	Wm. McClave	P. H. Vincent
Virgil Eversole	J. L. McKnight	J. C. Watkins
Chas. H. Fair	Wm. McRohan	L. M. Weathers
W. J. Fisher	Clark Macdonald	J. A. White

Mr. Fowler moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. White moved that the privileges of the floor be extended to the Hon. W. H. Jones.

Said motion was agreed to.

Mr. J. S. Hollan moved that the privileges of the floor be extended to County Attorney G. C. Allen, County Attorney K. C. Williams, County Superintendent Erwin Turner and Judge Clay Watkins.

Said motion was agreed to.

The Speaker laid before the House the following communication, viz.:

Speaker John S. Milliken,
House of Representatives, Frankfort, Ky.

Dear Sir:

The leaders of industry, business and civic welfare from all parts of Kentucky are invited to assemble here on Wednesday, February 1st, at 2 P. M., in the Chamber of the House of Representatives, for the consideration of ways and means for advertising Kentucky, her advantages and resources, and of attracting attention of outside capital and enterprise to Kentucky. Letters and telegrams received at the Governor's office indicate that there will be a large attendance of outstanding Kentuckians.

Each member of the Senate and the House of Representatives is most cordially invited to be present and to participate in the activities of the conference.

Will you please convey this invitation to the members of your house and urge them to be present?

Most respectfully,

FLEM D. SAMPSON, *Governor.*

Mr. Jeter offered the following resolution, viz.:

Whereas, the members of the House of Representatives were invited to be the guests of the Isak Walton League of Kentucky in the beautiful and historic city of Danville on last Friday evening, January 28, 1928, and were there entertained in the most lavish Kentucky style, and

Whereas, the courtesies extended by the faculty and student body of the Kentucky School for the Deaf, the civic organizations and citizens generally added much to the gayety and pleasure of the occasion, therefore

Be it Resolved, that the House of Representatives, by this resolution, express its thanks and appreciation to the Isak Walton League, the Kentucky School for the Deaf, citizens and organizations for the generous hospitality so graciously extended, and

Be It Further Resolved, that a copy of this resolution be sent to the President of the Isak Walton League, a copy to Supt. Madison Lee of the School for the Deaf and a copy to Mayor McIntyre of the city of Danville.

Said resolution was adopted.

Mr. Hawkins offered the following resolution, viz.:

Whereas, Mrs. Gaines, the sister of Leslie B. Murphy, Representative from Scott County, was called by death on January 31st; and,

Whereas, Mr. Leslie Murphy is with us daily in our deliberations; and,

Whereas, we have all learned to love and cherish his friendship and we feel this great loss to him is a loss to us; therefore, be it

Resolved, That the House of Representatives hereby extend to the Honorable Leslie B. Murphy its heartfelt sympathy in this great loss, and that the Sergeant-at-Arms be and is hereby instructed to procure a suitable floral tribute and send the same to Georgetown, Kentucky, with the sympathy of the members of the House of Representatives, and that when the House adjourn today it adjourn out of respect of the death of Mrs. Gaines, sister of the Honorable Leslie B. Murphy.

Said resolution was adopted.

Upon a call of the Counties and Legislative districts the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Vincent:

H. B. 412. An Act authorizing George Hunt, Joseph W. Bosley and M. I. Forbes, doing business under the firm name and style of Hunt-Forbes Construction Company, to sue the State of Kentucky and the State Highway Commission of the State of Kentucky.

To Committee on Claims.

By Mr. Taylor:

H. B. 413. An Act to add to the primary system of public highways a road leading from a point at the line between Meade and Breckenridge Counties, Kentucky, near Rhodelia, and running to a point on U. S. Highway No. 60 about three miles west of Hardinsburg in Breckenridge County, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Britton:

H. B. 414. An Act creating Primary Road Project No. 31a, from Caution to Oneida, in Clay County.

To Committee on Roads and Highways No. 2.

By Mr. Britton:

H. B. 415. An Act providing for Teachers' Institutes to be held in each county in Kentucky between the first day of September and the twentieth day of September and providing for the payment of same; that each Common School teacher who teaches in the Commonwealth of Kentucky shall attend at least one Institute each year; that the county superintendent shall provide a syllabus containing subjects to be discussed, a copy of which to be furnished each teacher, and provide for instructors for Institutes and the method of paying for same.

To Committee on Education No. 2.

By Mr. Hunter:

H. B. 416. An Act repealing, amending and re-enacting Chapter 202, Acts of the General Assembly of 1926, establishing State Primary Road Project No. 299 and changing the route of said road project.

To Committee on Roads and Highways No. 2.

By Mr. Horn:

H. B. 417. An Act requiring non-resident sellers of fruit trees, vines, shrubs or plants to execute bonds as to the type of same and their freedom from certain diseases, prescribing a penalty for the failure to execute such bond, and providing

for civil liability on the bond in case of a violation thereof by selling fruit trees, vines, shrubs, or plants not true to type as prescribed in the Act, or diseased, contrary to the Act.

To Committee on Agriculture.

By Mr. Robertson:

H. B. 418. An Act to repeal, amend and re-enact Sections 3369, 3370, 3371, 3372, and 3373 of the Kentucky Statutes, Carroll's Edition 1922, same being a part of Article 4, subdivision 4 of the Charters of the cities of the third class and providing for the election, term of office and qualifications, duties and compensation of prosecuting attorneys for cities of the third class.

To Committee on Cities of the 2nd and 3rd Class.

By Mr. Robertson:

H. B. 419. An Act to repeal, amend and re-enact Sections 3379 and 3406 of the Kentucky Statutes, Carroll's Edition 1922, same being a part of Article 4, subdivision 5 of the Charter of cities of the third class, and providing for the assessment of property in such cities as of the date fixed by the City Council or Commissioners; when the assessor is to begin work, the duty of the assessor to make and return a list of the property, and providing that an assessment of real estate for taxation in cities of the third class may be made for a period of five years instead of annually; and fixing the duties of the Board of Supervisors.

To Committee on Cities of the 2nd and Third Class.

By Mr. Graham:

H. B. 420. An Act to amend Section 3385 of Kentucky Statutes, 1922, Carroll's Edition in relation to appeals from assessments made by Boards of Supervisors and Common Councils of Cities of the Third Class.

To Committee on Cities of the Second and Third Class.

By Mr. Eversole:

H. B. 421. An Act creating a new State Primary Road Project to be known as Project No. — leading from Harland via Cawood and Smith in Harlan County, Kentucky, to the Virginia State line near Hagan, Lee County, Virginia.

To Committee on Roads and Highways No. 2.

By Mr. Hall:

H. B. 422. An Act to provide for the removal of a person or persons charged with serious crime or crimes and in custody of an officer, from a county where there exists threatened violence or intense feeling and public indignation against the person or persons so charged, to the State Reformatory at Frankfort, Kentucky, or the Kentucky State Penitentiary at Eddyville, Kentucky, for safe-keeping, and to provide payment to the officer or officers making the removal, and for the board and keep of said prisoners.

To Committee on Circuit Courts.

By Mr. Dorman:

H. B. 423. An Act relating to revenue and taxation, providing for a license tax upon the gross premiums of Insurance Companies not organized under the laws of this State, and repealing Sections 4226, 4229, 4230, 4231, 4232, 4234, 4235, 4236, and 4237 of Kentucky Statutes.

To Committee on Insurance, Fire and Marine.

By Mr. Furlong:

H. B. 424. An Act to amend Section 3414, Kentucky Statutes, relating to the qualifications of City Collectors in Third Class Cities, and consolidating the offices of City Treasurer and City Collector.

To Committee on Cities of the 2nd and 3rd Class.

By Mr. Baxter:

H. B. 425. An Act to establish as a part of the State Primary System a road to be known as Project No. —, to lead from Project No. 19½ at Glenarm in Oldham County, Kentucky, by way of Brownsboro and Poplar Grove to connect with Project No. 13 at Prospect, Jefferson County, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. McRohan:

H. B. 426. An Act requiring every person, persons or corporation holding lands through or along which a stream or streams of water run close by a road or highway, to cut, remove and clean away all drift, bushes and overhanging branches, and providing penalty for violation of this Act.

To Committee on Roads and Highways No. 1.

By Mr. Hawkins:

H. B. 427. An Act to repeal Chapter 148 of the Acts of 1926 of the General Assembly of the Commonwealth of Kentucky, being an Act regulating the depositing of funds of the Commonwealth of Kentucky collected by county and district

officials and trustees of the jury fund and providing a manner of keeping a daily record thereof and fixing penalties for failure to keep such record or to make such deposit and for converting such funds to such officers' individual use.

To Committee on Kentucky Statutes.

By Mr. Hawkins:

H. B. 428. An Act to amend and re-enact Sections 4130, 4135, 4143, 4146, 4147, 4148, 4151, subsection 2, and 4250 of the Kentucky Statutes, John D. Carroll's Edition, 1915, as amended by Chapter 175 of the 1926 Acts of the General Assembly of the Commonwealth of Kentucky, all relating to revenue and taxation.

To Committee on Revenue and Taxation No. 1.

By Mr. Crossland:

H. B. 429. An Act to establish a road from Paducah, Kentucky, at the northern end of Eighth Street in said city and at the city limits to a point opposite Brookport, Illinois, and being a part of the highway between Paducah, Kentucky, and Golconda, Illinois, as part of the primary system of State Highways, and designating said project as Project No. 9.

To Committee on Roads and Highways No. 2.

By Mr. Flener:

H. B. 430. An Act to create a State Board of Censorship for Motion Picture Films.

To Committee on Kentucky Statutes.

Mr. Hawkins of the Committee on Motor Transportation, to which the same had been previously referred, reported bills of the following titles, viz.:

H. B. 128. An Act to amend an Act to amend subsection c of Section 2, Chapter 90, page 415 of the Acts of the General Assembly of 1920, regulating fees for passenger automobiles, which was approved March 23, 1922, and to further regulate fees for passenger automobiles.

With the expression of opinion that said bill ought not to pass.

Mr. Meiman moved that said bill be read the first time at length, the opinion of the Committee to the contrary notwithstanding.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Meiman and Dunn, were as follows, viz.:

Those who voted in the affirmative were—

E. J. Doss	Herman Handmaker	C. W. Ryans
Thos. J. Dunn	Phillip Helf	M. E. Sparks
Duke W. Fowler	John B. Klefot	E. G. Thomas
F. A. Gnau	Wm. McRohan	C. F. Thornton
W. T. Green	Henry Meiman	—14

Those who voted in the negative were—

J. Curtis Alcock	W. O. Baxter	Sam P. Burnam
S. E. Anderson	T. H. Benton	E. L. Campbell
W. B. Ardery	W. P. Bowman	J. G. Campbell
W. O. Bach	Thos. L. Britton	Chas. B. Carver
Walter J. Bailey	W. G. Buckner	Harry Cochran
A. J. Baldrige	S. J. Bunker	John Cooper

J. O. Creech	J. R. Hobbs	E. B. Miller
C. B. Crossland	J. S. Hollan	James H. Muse
J. R. Dorman	H. B. Holland	L. C. Nell
W. M. Duncan	S. K. Holland	Andrew Nichols
D. E. Edwards	Ira L. Horn	J. H. Payne
J. W. Edwards	Robt. L. Horn	J. G. Prather
J. O. Evans	Josephus Howard	W. H. Pryor
Virgil Eversole	Lester Jeter	Charles Smith
Chas. H. Fair	T. M. Johnson	Daniel Boone Smith
W. J. Fisher	John C. Kemper	S. G. Smith
J. C. Flener	Porter J. Land	Dan Stamper
Chas. B. Fulton	S. D. Laughlin	Frank L. Strange
J. B. Furlong	Leon P. Lewis	J. G. Swearingen
R. C. Graham	Wm. McClave	Mac Swinford
E. L. Hagan	Clark Macdonald	J. B. Taylor
A. L. Hall	J. L. Manning	P. H. Vincent
John G. B. Hall	Luther Morse	J. C. Watkins
Brooks L. Hargrove	C. C. May	L. M. Weathers
C. W. Hawkins	A. M. Mercer	J. A. White
Joseph M. Hayse	Harry J. Meyers	

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And so said bill was rejected.

Mr. Hawkins moved that the vote by which the House refused to advance said bill to its first reading, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

H. B. 44. An Act to make it unlawful to remove from automobile tires the serial number, or any mark or brand thereon; or to deface, disfigure, change or mutilate same; to require the sellers of tires known as "Seconds" to stamp them with the seller's name; to make it unlawful for any person, firm or corporation to have in possession any automobile tires upon which the serial number, mark or brand has been removed, defaced, disfigured, changed or mutilated; to

require any person, firm or corporation selling tires known as "seconds" to stamp the name of the seller thereon and to provide penalties for the violation of this Act.

With the expression of opinion that said bill ought not to pass.

Mr. Thomas moved that said bill be read at length the first time, the opinion of the Committee to the contrary notwithstanding.

Said motion was disagreed to.

And so said bill was rejected.

H. B. 232. An Act relating to and regulating trucks and other motor driven vehicles operating upon the Public Highways, and fixing fines and penalties for the violation thereof.

With the expression of opinion that said bill ought not to pass.

No motion having been made to advance said bill to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken by the House on said bill, it was ordered that said bill be rejected.

The hour of 11 o'clock having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 156. An Act to amend and re-enact Sections 1954c-9, 1954c-10, 1954c-23, Kentucky Statutes, Carroll's Edition, as amended by Chapter 93 of the Acts of 1926, providing penalties for trespass on Game Preserves, increasing the percentage of the game and fish protection fund which may be ex-

pended each year for conducting fish hatcheries and game preserves, providing that conviction for violation of the game and fish law shall forfeit the license held by the person convicted and suspend such person from securing a license for one year, and reducing the amount of non-resident hunters' license to Ten Dollars and Fifty Cents.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1954c-9 be amended by adding at the end thereof the following, "such fish hatcheries and game preserves shall be marked with appropriate signs to indicate that they are such hatcheries and preserves and when so marked any one fishing or hunting on such hatcheries or preserves, without permit from said commission, shall be guilty of trespass and shall be fined not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for such offense; and each such trespass shall be a separate offense," so that said section when amended and re-enacted shall read as follows:

Section 1954c-9. Said Commission may furnish, operate, conduct and maintain fish hatcheries and game preserves on any lands or waters acquired by it, and may employ and appoint such persons and assistants at such salaries and for such time as it may deem necessary to operate, conduct and care for them, any of whom may be removed at the pleasure of said Commission. Such fish hatcheries and game preserves shall be marked with appropriate signs to indicate that they are such hatcheries and preserves and when so marked any one fishing or hunting on such hatcheries or preserves, without permit from said Commission, shall be guilty of trespass and shall be fined not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for such offense; and each separate trespass shall be a separate offense.

§ 2. That Section 1954c-10, Kentucky Statutes, Carroll's 1922 Edition, be amended by striking out the words and figures "ten (10%) per cent" and inserting in lieu thereof the words and figures "fifty (50%) per cent" so that said section when amended and re-enacted shall read as follows:

Section 1954c-10. The said Commission may appropriate annually not exceeding fifty (50%) per cent of the Fish and Game Protection Fund for that year for the purpose of establishing, erecting, conducting and maintaining fish hatcheries and game preserves and paying for land, improvements and waters acquired for such purposes by purchase, lease or condemnation.

§ 3. That Section 1954c-23 be amended by adding at the end thereof the following, "Any holder of a license convicted of the violation of any of the provisions of the game and fish law shall forfeit such license and shall not be eligible to secure another license for one year from the date of such conviction," so that said section when amended and re-enacted shall read as follows:

Section 1954c-23. All licenses shall be dated when issued and shall also authorize the person named and described therein to hunt during calendar year and then only within the regulations and restrictions provided by law. All hunting licenses shall be numbered consecutively at the time they are printed and non-resident and resident blanks shall be furnished by the Game and Fish Commission to the county clerks of the various counties. Any holder of a license convicted of the violation of any of the provisions of the game and fish law shall forfeit such license and shall not be eligible to secure another license for one year from the date of such conviction.

§ 4. That Section 1954c-25 of Kentucky Statutes, Carroll's 1922 Edition, as amended by Chapter 93 of the Acts of 1926, be amended by substituting the words "ten (\$10.50) dollars and fifty cents" for the words "twenty-five (\$25.00) dollars" and by adding immediately following the words "agent of the land" the words "the county clerk shall retain

fifty cents of such fee for issuing the license'' so that said section when amended and re-enacted shall read as follows:

Section 1954c-25. Any non-resident or alien of this State, or person who has not been a resident of this State for one year, may procure a license for hunting by filing his or her affidavit with the county clerk of any county in this State, stating his or her age, place of residence, postoffice address, height, color of his or her eyes, and hair, and the fact whether he or she can write his or her name, and by paying to said county clerk the sum of ten dollars and (\$10.50) fifty cents, which license shall entitle him or her to hunt in all the counties of this State, after receiving the permission of the owner or agent of the land. The county clerk shall receive fifty cents of such fee for issuing the license.

Whenever, in the fish and game protective laws, unless a contrary intention is evident from the context the word "hunt" shall intend taking, killing, trapping, injuring or pursuing with intent to take, kill, or injure and shall also include chasing with dogs, regardless of intent; however, nothing in this act shall be construed to prevent any non-resident from participating in any regularly advertised field trial without procuring a license.

All laws and parts of law in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Chas. B. Fulton	Wm. McRohan
S. E. Anderson	J. B. Furlong	J. L. Manning
W. B. Ardery	F. A. Gnau	Luther Morse
W. O. Bach	R. C. Graham	C. C. May
Walter J. Bailey	W. T. Green	Henry Meiman
A. J. Baldridge	E. L. Hagan	Harry J. Meyers
W. O. Baxter	A. L. Hall	E. B. Miller
W. P. Bowman	John G. B. Hall	James H. Muse
W. G. Buckner	T. W. Hardesty, Jr.	Andrew Nichols
S. J. Bungler	Herman Handmaker	J. H. Payne
Sam P. Burnam	Brooks L. Hargrove	J. G. Prather
E. L. Campbell	C. W. Hawkins	W. H. Pryor
J. G. Campbell	Joseph M. Hayse	B. A. Robertson
Chas. B. Carver	Phillip Helf	C. W. Ryans
Harry Cochran	J. R. Hobbs	Charles Smith
John Cooper	J. S. Hollan	Daniel Boone Smith
J. O. Creech	H. B. Hoiland	S. G. Smith
C. B. Crossland	S. K. Holland	Dan Stamper
J. R. Dorman	Ira L. Horn	Frank L. Strange
E. J. Doss	Josephus Howard	J. G. Swearingen
W. M. Duncan	W. F. Hunter	Mac Swinford
Thos. J. Dunn	John C. Kemper	J. B. Taylor
J. O. Evans	John B. Klefot	E. G. Thomas
Chas. H. Fair	Porter J. Land	P. H. Vincent
W. J. Fisher	S. D. Laughlin	J. C. Watkins
J. C. Flener	Leon P. Lewis	L. M. Weathers
Duke W. Fowler	J. L. McKnight	J. A. White

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There voted in the negative—

A. L. Allen

—1

Resolved that the title thereof be as aforesaid.

Mr. Payne moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The hour of 11:15 o'clock having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 81. An Act providing for a fishing license, for a closed season on fishing, for a bag limit for black bass, crappie and trout, defining minnow seines and minnows, and providing penalties for violation thereof, and prohibiting the sale or offering for sale of black bass and crappie.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. On and after the passage of this act and its approval by the Governor, it shall be unlawful for any male adult in this State to fish without first procuring a license to do so, subject to the conditions and exceptions set out herein. Any male adult who fishes with pole and line, hand line, set line, trot line or throw line in this State without first obtaining a license permitting him to do so, or who lends or transfers his fishing license to another, upon conviction shall be fined not less than fifteen (\$15.00) dollars nor more than fifty (\$50.00) dollars, but any resident owner, landlord or tenant, and members of their families may fish in the waters of their own lands or leaseholds, where such waters bound or pass through such lands or leaseholds, in season without obtaining a license as hereinbefore provided.

§ 2. All blanks and other printed matter necessary to carry out the provisions of this act and of the game laws shall be printed under the direction of the Game and Fish Commission, and shall be paid for in like manner and upon the same terms as other public printing. This expense shall be charged to the Game and Fish Protection Fund.

§ 3. All licenses shall be dated when issued and shall also authorize the person named and described therein to fish during the calendar year and then only within the regulations and restrictions provided by law. All fishing licenses shall be numbered consecutively at the time they are printed and non-resident and resident blanks shall be furnished by the Game and Fish Commission to the county clerks of the various counties. The resident and non-resident blanks shall be printed in different colors.

§ 4. Any male adult who has been a bona fide resident of this State for one year then passed may procure a fishing license for himself by filing his affidavit with the county clerk of the county in which he resides, stating his age, place of residence, postoffice address, height, color, color of his eyes and hair, and the fact whether he can write his name, and by paying to the said county clerk the sum of one (\$1.00) dollar, which license shall entitle him to fish in all counties of this State. The county clerk shall retain of the money received for each license issued the sum of fifteen (15c) cents to cover the swearing of the applicant to the affidavit referred to in this act and all other service under this act, and shall pay the balance to the State Treasurer, on the first of each month, which amount shall be converted into the Game and Fish Protection Fund and the county clerk shall report to the State Game and Fish Commission, on the first day of each month, the number of licenses issued and the amount of money remitted to the State Treasurer.

§ 5. Any male adult non-resident or alien in this State, or who has not been a resident of this State for one year, may procure a license for fishing by filing his affidavit with the county clerk of any county in this State, stating his age, place of residence, postoffice address, height, color, color of his eyes and hair, and the fact whether he can write his name and by paying to said county clerk the sum of two dollars and fifty cents, which license shall entitle him to fish in all counties of this State, after receiving the permission of the owner or

agent of any waters in which he may wish to fish. The county clerk shall retain of the money received for such non-resident license the sum of fifty (50) cents to cover the swearing of the applicant to the affidavit referred to in this act and all other service under this act, and shall pay the balance to the State Treasurer, on the first of each month, which amount shall be converted into the Game and Fish Protection Fund, and said county clerk shall report to the State Game and Fish Commission on the first day of each month the number of licenses issued and the amount of money remitted to the State Treasurer.

§ 6. The county clerk shall issue all fishing licenses, resident and non-resident, under the seal of his office, to all persons complying with the provisions of this act, and shall sign the same, and shall require the person to whom the license is issued to sign his or her name on the margin thereof. He shall keep a correct and complete record of all licenses issued in a book to be furnished by the Game and Fish Commission, which record shall remain in his office and be open to the inspection of the public at all reasonable times.

§ 7. The Game and Fish Commission shall deliver to each county clerk in the State ten days before the first day of January in each year as many licenses as may be required and shall charge said clerk with the number issued to him. On the fifteenth day of January in each year and within ten days thereafter, each county clerk shall return to the Commission all unused licenses and stubs of licenses used to the previous year.

§ 8. It shall be unlawful to fish in any of the public waters of this State with pole and line, hand line, set line, trot line or throw line, or in any other manner during the entire month of May each year, providing the owner of any land may fish or permit others to fish in any private pond or lake on his said land.

§ 9. No person shall take, or catch, or have in his possession more than twelve black bass, nor more than twelve

trout, nor more than fifteen rock bass or "goggle eye," nor more than twenty-five crappie in any one day, nor take, nor have in his possession any black bass, nor trout under ten inches in length, nor any crappie under eight inches in length; provided, however, that any person having fished two days in succession may have in possession a total not to exceed twenty-four black bass, or trout, thirty rock bass or "goggle eye," or fifty crappie.

§ 10. It shall be lawful for any person or persons to take from the public waters of this State minnows to be used for bait for fishing with pole and line, hand line, set lines, or trot lines with minnow seine. Said seine shall not be more than ten feet in length, four feet in width or height with mesh not larger than a quarter of an inch. Minnows, within the meaning of this act, shall be all fish under six inches in length, except bass, rock bass or "goggle eye," trout and crappie.

§ 11. It shall be unlawful to sell or offer for sale in this State any small mouth black bass, large mouth black bass or crappie.

§ 12. Any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifteen (\$15.00) dollars nor more than fifty (\$50.00) dollars and shall forfeit his license and shall not be eligible to procure another license for a period of one year from the date of such conviction.

§ 13. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Prather offered the following Amendment to said bill, viz.:

"Amend H. B. 81 by striking out Sections 1, 2, 3, 4, 5, 6, 7, and 8 thereof."

Mr. Crossland moved that said Amendment be laid upon the table.

Said motion was disagreed to.

Mr. Fowler moved that the House do now adjourn.

Said motion was disagreed to.

Mr. D. B. Smith moved the Previous Question.

The Speaker announced, "Shall the main question be now put." The question being taken thereon it was decided in the affirmative.

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	E. J. Doss	C. W. Hawkins
A. L. Allen	W. M. Duncan	Joseph M. Hayse
S. E. Anderson	Thos. J. Dunn	Phillip Helf
W. B. Ardery	J. W. Edwards	J. R. Hobbs
A. J. Baldrige	J. O. Evans	H. B. Holland
Thos. L. Britton	J. C. Flener	S. K. Holland
W. G. Buckner	Duke W. Fowler	Josephus Howard
Sam P. Burnam	J. B. Furlong	W. F. Hunter
E. L. Campbell	F. A. Gnau	John B. Klefot
J. G. Campbell	R. C. Graham	Porter J. Land
Harry Cochran	W. T. Green	S. D. Laughlin
J. O. Creech	T. W. Hardesty, Jr.	Leon P. Lewis
J. R. Dorman	Herman Handmaker	Clark Macdonald

Henry Meiman	B. A. Robertson	J. G. Swearingen
A. M. Mercer	C. W. Ryans	Mac Swinford
Harry J. Meyers	Daniel Boone Smith	P. H. Vincent
E. B. Miller	S. G. Smith	L. M. Weathers
James H. Muse	Dan Stamper	
L. C. Nell	Frank L. Strange	—55

Those who voted in the negative were—

Walter J. Bailey	E. L. Hagan	J. L. Manning
W. O. Baxter	A. L. Hall	C. C. May
T. H. Benton	John G. B. Hall	Andrew Nichols
W. P. Bowman	Brooks L. Hargrove	J. H. Payne
S. J. Bunger	Ira L. Horn	J. G. Prather
Chas. B. Carver	Robt. L. Horn	W. H. Pryor
John Cooper	Lester Jeter	Charles Smith
C. B. Crossland	T. M. Johnson	M. E. Sparks
D. E. Edwards	John C. Kemper	E. G. Thomas
Chas. H. Fair	Wm. McClave	C. F. Thornton
W. J. Fisher	J. L. McKnight	J. C. Watkins
Chas. B. Fulton	Wm. McRohan	—35

Resolved that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Dunn moved that the privileges of the floor be extended to Mr. J. Kleet.

Said motion was agreed to.

Mr. J. G. Campbell moved that a leave of absence be granted to Mr. Powell.

Said motion was agreed to.

Ordered that an indefinite leave of absence be granted to Mr. Swearingen.

A message was received from the Senate announcing that they had passed bills and resolution which originated in that body of the following titles, viz.:

1. S. Res. 2. Resolution authorizing A. J. Bush to sue the Commonwealth of Kentucky.

2. S. B. 7. An Act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and the payment of the expenses of such commissioners.

3. S. B. 47. An Act authorizing and empowering the State Board of Agriculture to anticipate the receipts and borrow money for the current expenses of the Kentucky State Fair.

S. B. 113. An Act to require the use of a suction or exhaust system upon polishing and grinding machinery to safeguard the health of workers, providing for enforcement and violation of this Act.

5. S. B. 128. An Act to repeal and re-enact Sections 6 and 15 of "An Act to repeal and re-enact an Act entitled 'An Act granting disabled Confederate Soldiers,' which Act became a law March 11, 1912," and which act repealing and re-enacting it was Chapter 22b, Acts of 1914, page 115, and said Sections 6 and 15 of the 1914 re-enacted Act are now Sections 415b-6 and 415b-15 of the present 1922 edition of the Kentucky Statutes.

Ordered that said bills be printed and referred as follows, viz.:

1. To Committee on Claims.
2. To Committee on Kentucky Statutes.
3. To Committee on State Fair.
4. To Committee on Public Health.
5. To Committee on Confederate Home.

Mr. Strange moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 2, 1928.

The House was opened with prayer by the Reverend Chesterfield Turner of the Baptist Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	E. L. Campbell	J. O. Evans
A. L. Allen	J. G. Campbell	Virgil Eversole
S. E. Anderson	Chas. B. Carver	Chas. H. Fair
W. B. Ardery	Harry Cochran	J. C. Flener
W. O. Bach	John Cooper	Duke W. Fowler
Walter J. Bailey	J. O. Creech	J. B. Furlong
A. J. Baldridge	C. B. Crossland	F. A. Gnau
W. O. Baxter	J. R. Dorman	R. C. Graham
T. H. Benton	E. J. Doss	W. T. Green
W. P. Bowman	W. M. Duncan	E. L. Hagan
Thos. L. Britton	Thos. J. Dunn	A. L. Hall
W. G. Buckner	D. E. Edwards	John G. B. Hall
Sam P. Burnam	J. W. Edwards	Herman Handmaker

Brooks L. Hargrove	Leon P. Lewis	W. H. Pryor
C. W. Hawkins	Wm. McClave	B. A. Robertson
Joseph M. Hayse	J. L. McKnight	C. W. Ryans
Phillip Helf	Wm. McRohan	Charles Smith
J. R. Hobbs	Clark Macdonald	Daniel Boone Smith
J. S. Hollan	J. L. Manning	S. G. Smith
H. B. Holland	Luther Morse	M. E. Sparks
S. K. Holland	C. C. May	Dan Stamper
Ira L. Horn	Henry Meiman	Frank L. Strange
Robt. L. Horn	A. M. Mercer	Mac Swinford
Josephus Howard	Harry J. Meyers	J. B. Taylor
Lester Jeter	E. B. Miller	E. G. Thomas
T. M. Johnson	James H. Muse	C. F. Thornton
John C. Kemper	L. C. Nell	P. H. Vincent
John B. Klefot	Andrew Nichols	J. C. Watkins
Porter J. Land	J. H. Payne	L. M. Weathers
S. D. Laughlin	J. G. Prather	J. A. White

Mr. Jeter moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. D. B. Smith moved that a leave of absence be granted to Mr. Hardesty.

Said motion was agreed to.

Mr. Payne moved that the privileges of the floor be extended to Mr. Joe Browder.

Said motion was agreed to.

Mr. Handmaker moved that a leave of absence for tomorrow, Friday, February 3, be granted to Mr. Fair.

Said motion was agreed to.

Mr. Nichols moved that the privilege of the floor be extended to Mr. Herndon Evans of the Pineville Sun.

Said motion was agreed to.

Mr. Jeter moved that the session of today be extended indefinitely.

Said motion was agreed to.

The Speaker laid before the House the following invitation, viz.:

Louisville, Ky.
Jan. 30, 1928.

Hon. J. S. Milliken,
Speaker of the House of Representatives,
Kentucky General Assembly,
Frankfort, Ky.

My dear Mr. Milliken:

Will you please be so kind as to present to the members of the Kentucky House of Representatives this invitation of the Louisville Board of Trade to be its guests at a dinner at the Brown Hotel in Louisville at 6:30 o'clock on Wednesday, February 15.

In this connection we shall provide busses for the transportation of the legislative party from Frankfort to Louisville and then back to Frankfort after the dinner. This dinner is a part of the program which the Louisville Board of Trade has followed for years of fostering good will between the various sections of the State, which the members of your distinguished body represent.

We feel that you are rendering a service to the State, the arduous character and value of which is often not truly understood by the people of Kentucky. This dinner is to be our token of recognition and appreciation, and we assuredly hope

that every member of your body can be present. If you will present our invitation to the members of the House in this informal way, we will later apprise them more definitely as to the place and time of the busses' arrival in Frankfort, their departure for that city after the dinner in Louisville and other information that may aid them in their plans to accept this invitation.

Cordially yours,

W. E. MORROW, *Secretary*.

The House took up for consideration the unfinished special business of yesterday, viz.:

H. B. 12. An Act to amend and re-enact Section 1938a-1, 1938a-4, Kentucky Statutes, Carroll's 1922 edition and sections 1938a-6 and 1938a-16, Kentucky Statutes, Carroll's 1922 edition, as amended by Chapter 133 of the Acts of 1924, changing the closed season on quail, providing a bag limit on squirrels, extending the closed season on wild turkey, Hungarian partridge, deer and elk, and providing an open season for imported pheasants, fixing hours of the day within which doves may be killed in open season and prohibiting baiting of doves, and providing penalties for violation thereof.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1938a-1, Kentucky Statutes, Carroll's 1922 Edition be amended by substituting the words "first day of January" for the words "second day of January" so that said section when amended and re-enacted shall read as follows:

Section 1938a-1. No person shall, between the first day of January and the 14th day of November, both days inclu-

sive, in any year, catch, kill, injure or pursue with such intent, any quail or bobwhite, or have in possession any quail or bobwhite, or any part of any quail or bobwhite, dead or alive, no matter when or where caught or killed, whether caught or killed in this State or any other state, territory, county or place, except as hereinafter provided in Section 1938a-13 of this act.

§ 2. That Section 1938a-4, Kentucky Statutes, Carroll's 1922 Edition, be amended by adding at the end thereof the following, "And during the open season no person shall kill more than twelve squirrels in any one day and no person shall have in his possession, at any one time more than twenty-four squirrels," so that said section when amended and re-enacted shall read as follows:

Section 1938a-4. No person shall, between the 16th day of October and the 30th day of June, both days inclusive, in any year, catch, kill, injure or pursue with such intent any squirrel, or have in his possession any squirrel, or any part of any squirrel, no matter when or where caught or killed, whether caught or killed in this State or any other state, territory, county or place, except as provided for in Section 1938a-13 of this act. And during the open season no person shall kill more than twelve squirrels in any one day, and no person shall have in his possession at any time more than twenty-four squirrels.

§ 3. That Section 1938a-6, Kentucky Statutes, Carroll's 1922 Edition as amended by Chapter 133 of the Acts of 1924, be amended by substituting the figures "1932" for the figures "1928" wherever they occur in said section, and by adding at the end of said section the words "it shall be lawful to kill imported pheasants on November 15, 16, 17, 18 and 19 and on these days only each year, provided that no person shall kill more than two cock birds each day," so that said section as amended and re-enacted shall read as follows:

Section 1938a-6. No person shall catch or kill, or pursue with such intent or have the same in his possession after it

has been caught or killed, any wild turkey, imported pheasant or Hungarian partridge, before the 15th day of November, 1932, and on and after November 15th 1932, no person shall kill more than two wild turkeys during the open season in one year, nor more than two pheasants or Hungarian partridges in any one day when it is lawful to kill them. It shall be lawful to kill imported pheasants on November 15, 16, 17, 18 and 19 and on these days only each year, provided that no person shall kill more than two cock birds each day.

§ 4. That Section 1938a-16, Kentucky Statutes, Carroll's Edition, as amended by Chapter 133, Acts of 1924, be amended by substituting the figures "1932" for the figures "1928" in said section so that said section when amended and re-enacted shall read as follows:

Section 1938a-16. No person shall in the State of Kentucky, before November 15th, 1932, hunt, purchase, catch, kill, injure or molest any deer or elk. Any person violating this section, or any part thereof, shall upon conviction, be fined not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars for each offense, and on failure to pay such he shall be confined in the county jail or workhouse or placed at labor on any of the public works of the county in which he is convicted and fined, for a length of time not exceeding one day for every one and a half dollars of said fine.

§ 5. That Section 1938a-21, Kentucky Statutes, Carroll's 1922 Edition be amended by adding at the end thereof the following: "Provided it shall be unlawful to shoot doves before the hour of 9 A. M. and after 5 P. M.," so that said section when amended and re-enacted shall read as follows:

Section 1938a-21. Birds or animals specified in this measure may be taken during open season with a gun only, not larger than number ten gauge, fired from the shoulder, but they may be taken during open season from the land and water, from a blind or floating device other than an aeroplane, power boat, sail boat or any boat under sail) with the aid of dog and with the use of decoys from one-half hour be-

fore sunrise until sunset; provided it shall be unlawful to shoot doves before the hour of 9 A. M. and after 5 P. M.

§ 6. It shall be unlawful to bait doves for the purpose of killing them. Scattering grain or other food or salt for the purpose of attracting doves shall be construed as baiting within the meaning of this section. Any person violating the provisions of this section shall upon conviction thereof be fined not less than ten (\$10.00) dollars nor more than twenty-five (\$25.00) dollars for each offense.

§ 7. All laws and parts of laws in conflict herewith are hereby repealed.

Said Committee Amendment is as follows, viz.:

“Amend H. B. 12 so that Section 5 be amended by striking out the figure ‘9 A. M.’ and substituting the figure ‘12 o’clock noon,’ and also by striking out the entire Section 6.”

Said amendement was adopted.

Mr. Strange offered the following Amendment to said bill, viz.:

“Amend H. B. 12 by striking out of line 13, page 4 of the printed bill the figure ‘5’ and inserting in lieu thereof the figure ‘6.’ ”

Said amendement was adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. J. Fisher	J. L. McKnight
A. L. Allen	Duke W. Fowler	Clark Macdonald
W. B. Ardery	Chas. B. Fulton	J. L. Manning
W. O. Bach	J. B. Furlong	Luther Morse
Walter J. Bailey	F. A. Gnau	C. C. May
A. J. Baldrige	R. C. Graham	A. M. Mercer
W. O. Baxter	W. T. Green	Harry J. Meyers
T. H. Benton	E. L. Hagan	E. B. Miller
Thos. L. Britton	A. L. Hall	James H. Muse
W. G. Buckner	John G. B. Hall	L. C. Nell
Sam P. Burnam	Brooks L. Hargrove	Andrew Nichols
E. L. Campbell	C. W. Hawkins	J. H. Payne
J. G. Campbell	J. R. Hobbs	J. G. Prather
Chas. B. Carver	J. S. Hollan	B. A. Robertson
Harry Cochran	H. B. Holland	Charles Smith
John Cooper	S. K. Holland	Daniel Boone Smith
J. O. Creech	Robt. L. Horn	S. G. Smith
C. B. Crossland	Josephus Howard	Dan Stamper
J. R. Dorman	W. F. Hunter	Frank L. Strange
E. J. Doss	Lester Jeter	Mac Swinford
W. M. Duncan	T. M. Johnson	E. G. Thomas
Thos. J. Dunn	John C. Kemper	C. F. Thornton
J. W. Edwards	John B. Klefot	P. H. Vincent
J. O. Evans	Porter J. Land	J. C. Watkins
Virgil Eversole	S. D. Laughlin	L. M. Weathers
Chas. H. Fair	Leon P. Lewis	J. A. White

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Those who voted in the negative were—

S. E. Anderson	Ira L. Horn	W. H. Pryor
S. J. Bunger		

—4

Resolved that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, the unfinished Special business of yesterday, viz.:

H. B. 110. An Act to repeal an act entitled:

“An Act providing for the better government, administration and discipline of the police and fire departments of cities of the third class and to create and perpetuate a pension fund for the disabled police and firemen in such cities, their widows and children and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, etc.”

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That An Act entitled “An Act providing for the better government, administration and discipline of the police and fire departments of cities of the third class, and to create and perpetuate a pension fund for disabled police and firemen in such cities, their widows and children and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after service of a term of years, and to provide revenue for the payment of same,” which Act was approved March 25, 1926, and is now Chapter 132 Acts of the General Assembly of 1926, be and the same is now repealed.

§ 2. That in order to avoid the additional burden of taxation necessary for the creation and perpetuation of a pension fund for policemen and firemen, their widows and children, and dependent fathers and mothers, now applying in Cities

of the Third Class in this Commonwealth, and to better facilitate the appointment of policemen and firemen therein, and in consequence of the advantages which will accrue thereby, an emergency is hereby declared to exist, this Act shall take effect immediately upon its passage, and approval by the Governor.

Mr. Graham offered the following amendment to said bill, viz.:

“Amend H. B. 110 by adding in line 1 of the body of the bill after the word ‘that’ the words ‘sub-section 2, 3 and sub-section 4 of section 2 of’ and the words ‘an act entitled.’ ”

Said amendment was disagreed to.

Mr. Robertson moved that said bill be laid upon the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Jeter and McDonald were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	D. E. Edwards	Lester Jeter
W. O. Bach	J. W. Edwards	T. M. Johnson
Walter J. Bailey	J. O. Evans	John C. Kemper
W. O. Baxter	W. J. Fisher	John B. Klefot
T. H. Benton	Duke W. Fowler	Porter J. Land
Thos. L. Britton	J. B. Furlong	S. D. Laughlin
W. G. Buckner	F. A. Gnau	Leon P. Lewis
S. J. Bunger	E. L. Hagan	Wm. McRohan
Sam P. Burnam	A. L. Hall	C. C. May
C. B. Crossland	John G. B. Hall	Henry Meiman
J. R. Dorman	Brooks L. Hargrove	A. M. Mercer
E. J. Doss	J. S. Hollan	E. B. Miller
W. M. Duncan	H. B. Holland	James H. Muse
Thos. J. Dunn	Robt. L. Horn	Andrew Nichols

J. H. Payne	Frank L. Strange	P. H. Vincent
J. G. Prather	Mac Swinford	L. M. Weathers
B. A. Robertson	J. B. Taylor	
M. E. Sparks	C. F. Thornton	—52

Those who voted in the negative were—

J. Curtis Alcock	R. C. Graham	Harry J. Meyers
A. L. Allen	W. T. Green	L. C. Nell
S. E. Anderson	Joseph M. Hayse	W. H. Pryor
A. J. Baldridge	J. R. Hobbs	C. W. Ryans
W. P. Bowman	Ira L. Horn	Charles Smith
E. L. Campbell	Josephus Howard	Daniel Boone Smith
J. G. Campbell	Wm. McClave	S. G. Smith
Harry Cochran	J. L. McKnight	Dan Stamper
John Cooper	Clark Macdonald	J. C. Watkins
Chas. H. Fair	J. L. Manning	J. A. White
Chas. B. Fulton	Luther Morse	—32

The hour of eleven o'clock having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 131. An Act to amend and re-enact Section 3142b-4 of the edition of the Kentucky Statutes compiled and edited by John D. Carroll.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3142b-4 of the edition of the Kentucky Statutes compiled and edited by John D. Carroll, be amended and re-enacted so that it shall read as follows:

“There is hereby appropriated and set aside for the use and benefit of said pension fund one-half of the annual tax of two per centum on each one hundred dollars (\$100.00) of

all premiums annually collected by all fire insurance companies not organized under the laws of this Commonwealth but doing business therein on risks located in second class cities which have organized pension funds under this Act, less return premiums on canceled policies and re-insurance in companies having authority to transact business in this State.

It shall be the duty of the insurance commissioner to embody in his annual statement the names of all second class cities entitled to receive said tax so paid by said foreign insurance companies, and he shall require the said companies to report the amount of premiums received by them each year in each of the several second class cities named in his report, and thereafter upon the payment of said tax by said companies he shall certify to the State Auditor the names of the cities which have organized pension funds, the amount of premiums received by said companies in each of said cities and the amount of taxes paid in such year by said companies upon premiums collected.

It shall be the duty of the insurance commission to keep a separate account of the tax paid by the various insurance companies as provided by this Act and in his report to the State Auditor and State Treasurer he shall certify the exact amount which each qualified city shall be entitled to receive, to-wit: One-half of two per centum on each one hundred dollars (\$100.00) of premiums collected in each city, and the State Treasurer shall keep said funds separate and apart from the general revenue and same shall be used only for the purposes of this Act. As soon as the State Auditor receives the report of the insurance commissioner showing the amount of the tax as above provided he shall draw his warrant on the State Treasurer in favor of the Treasurer of the Pension Fund of each of said cities for the amount of said fund which each city shall be entitled to receive, as shown by the report of the insurance commissioner, based entirely upon the amount of premiums collected as above provided by foreign

insurance companies in each particular city, and shall deliver said warrant to said Treasurer.

In addition to the above funds there may be levied and set apart by the board of commissioners of cities of the second class a tax for the year nineteen hundred and twenty-eight and for each and every year thereafter, not exceeding on cent (1c) on each one hundred dollars (\$100.00) of value of the taxable property in said cities for said year as a part of the fund hereinafter referred to.

The fund herein provided for shall be for the pensioning of any policeman or fireman who has served in the police and fire departments for at least a period of twenty years and who shall retire from the service after said period, and for the further purpose of pensioning the widow or dependents, children under the age of fourteen years, or either of them, if any member of either department who may lose his life while in the service and on active duty. And all rewards, fees, proceeds of gifts and emoluments that may be paid or given on account of extraordinary service of any officer, member or employe of the department shall be paid in its treasury to the credit of the police and firemen's pension fund. The payments so made, together with the tax levies aforesaid, shall constitute and be kept as a fund to be called the police and firemen's pension fund, and the said board heretofore designated is hereby declared to be the trustee of said fund, and they shall have power, and it shall be their duty from time to time, to invest the same in whole or in part, as they shall deem most advantageous for the object of the said fund, and they are empowered to make all necessary contracts and to take all the necessary remedies in the premises."

Mr. Meiman offered the following Amendment to said bill, viz.:

"Amend H. B. 131 on page 1, line 11, by adding after the word 'State' the following: 'In case of participating insur-

ance carriers a deduction for dividends returned to members shall be allowed in addition to the foregoing credits.' ''

Said Amendment was adopted.

Mr. Thomas moved that said bill be laid upon the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 12. An Act to repeal and re-enact Section 2127 of the Kentucky Statutes, 1922 Edition, relating to the property rights and interest of the husband and wife's property, the liability of the wife's estate for her debts, and authorizing a married woman to subject her general estate to the payment of the satisfaction or any liability, upon a contract made after marriage or to answer for the debt, default or misdoings of another, including her husband.

2. S. B. 83. An Act relating to public education and providing for the conveyance of sites on the campus or other real estate now held or hereafter acquired by the University of Kentucky, any of the State Normal Schools or Teachers' Colleges and other State Educational Institutions, are now held or hereafter acquired by the Commonwealth of Kentucky for the use of any of said institutions for buildings to be used in connection with such institutions; providing for the erection of buildings thereon; providing for the leasing of site and building to such institution at a rental which will amortize the cost of the erection of such buildings; and providing for the re-acquisition of the title thereto by such institution.

Ordered that said bills be printed and referred as follows, viz.:

1. To Committee on Kentucky Statutes.
2. To Committee on Education No. 2.

Mr. Dorman moved that the Rules of this House be suspended and that the House do now proceed to the call of the Standing Committees for the report of bills.

Said motion was agreed to.

Thereupon the Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Edwards of the Committee on Public Bridges and Ferries.

H. B. 243. An Act increasing the powers of the State Highway Commission with reference to building bridges, etc.

With a Committee Amendment thereto by way of Substitute therefor.

By Mr. Dorman of the Committee on Revenue and Taxation No. 1:

H. B. 281. An Act relating to revenue and taxation, imposing an excise or license tax on gasoline and all other liquid fuels, including all liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of, and condensates from petroleum, natural gas, coal tar, vegetable ferments, and from all other products, so usable and sold in this Commonwealth at wholesale, as the words "at wholesale" are defined in this act; except kerosene fuel oil, and crude oil as such; providing for the collection of such tax; exempting gasoline from local excise taxes; the distribution and use of the revenue derived therefrom, the administration of said law, fixing fines and

penalties for the violation of this Act; repealing Chapter 69, Acts of 1926, the present gasoline tax law.

By Mr. Payne of the Committee on Roads and Highways
No. 1:

H. B. 190. An Act to prohibit the running at large of cattle or any species thereof in any voting precinct, magisterial district or county, and rights-of-way embraced in the State Primary System while roads are under construction or reconstruction on such rights-of-way in any voting precinct, etc., and to repeal Sections 4646, 4647, 4648, 4649, 4650, and 4651 Carroll's Kentucky Statutes, and Section 4649a, Baldwin's 1926 Supplement to Kentucky Statutes, and all laws in conflict with this act, and providing for the violation of this Act and declaring an emergency.

H. B. 257. An Act providing for a Memorial bridge to Kentucky's Ex-service Men of all wars.

By Mr. Carver of the Committee on Roads and Highways
No. 2:

H. B. 182. An Act to establish State Primary Road Project No. —, beginning at Meadow's Farm about five miles northeast of Bowling Green on State Project 11, thence via old Glasgow road to intersection with State Project 1, one mile east of Smith's Grove.

H. B. 139. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which Acts relates to roads and bridges and the creation of the Department of State Roads and Highways, etc.

H. B. 138. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of

Kentucky of the 1920 session, approved March 16, 1920, which Act relates to roads and bridges and the creation of the Department of State Roads and Highways.

H. B. 273. An Act relating to roads and highways, creating a road from a point near Lewisburg, Kentucky, to the Butler County line.

H. B. 356. An Act establishing and creating as a part of the Primary Road System the road leading from Monticello to the Tennessee State line.

H. B. 345. An Act to establish a connecting link between the Cecilia Garfield road and the proposed road running from four corners and connecting with the North Dixie Highway in Hardin County, Kentucky.

H. B. 282. An Act relating to the Primary Road System, leading from Pineville to Holton, approximately 18 miles.

H. B. 309. An Act to establish a road from Scottsville to Fountain Run by the way of Maynard as a part of the Primary System of State Highways.

H. B. 279. An Act to add to Kentucky Primary System a road beginning in Union County opposite Shawneetown, Illinois, through Uniontown to the Henderson County line connecting with the Morganfield and Smith Mills road.

H. B. 284. An Act to amend Chapter 222 of the Acts of the General Assembly of 1926, relating to roads and highways and extending the Primary Highway System from Mayfield, Graves County, via Farmington, Coldwater, Stella, Murray, Pottertown and Brandon's Mill to Pine Bluff in Calloway County.

H. B. 310. An Act to establish State Primary Road Project No. — from Glasgow, Kentucky, county seat of Barren County, to Fountain Run, Kentucky.

H. B. 258. An Act establishing and adding road project to the State Primary Road System.

H. B. 261. An Act to add to the primary system of public highways a road leading from Harlan, in Harlan County, to Keokee, Virginia, in Wise County, Virginia, and known as the Clover Fork trail.

H. B. 274. An Act placing a road in Mercer and Boyle Counties upon the Primary System.

H. B. 271. An Act putting a road on the Primary System in Lincoln County.

H. B. 272. An Act placing a road on the Primary System in Lincoln County.

H. B. 137. An Act entitled an Act establishing and making the road from Hustonville, Lincoln County, Kentucky, to Mt. Salem, Lincoln County, Kentucky, a part of the Primary System of the State Highways of the Commonwealth of Kentucky and designating said road as Project No. —.

H. B. 136. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County, thence to Kings Mountain, Lincoln County, Kentucky, and on to a point nearby intersecting the State Highway running between Danville, Kentucky, and Somerset, Kentucky, be and is hereby made a part of the State Primary System of Highways.

H. B. 69. An Act establishing and making the road from and beginning at a point near Hall's Gap in Lincoln County, Kentucky, and running to Ottenheim, Lincoln County, Kentucky, thence to Crab Orchard, Lincoln County, Kentucky, a part of the Primary System of State Highways of the Commonwealth of Kentucky.

H. B. 68. An Act establishing and making the road from and beginning at a point three-quarters of a mile south of Shelby City, Boyle County, Kentucky, and running eight miles to Stanford, Lincoln County, Kentucky, a distance of approximately eight miles, to be known in the future as the Isaac Shelby Highway, a memorial to Kentucky's first Governor, and the same be and is hereby made a part of the Primary System of the State Highways of the Commonwealth of Kentucky.

H. B. 184. An Act to establish State Primary Road Project No. — from Greenwood on State Project No. 37 via Woodburn County Farm, McDavid Farm, to State Project No. 1 near Simpson County line, then via State Project No. 1 to Proctor Mill Road, via Browning and Gaines Hill to the Logan County line, approximately twelve miles.

H. B. 183. An Act to establish State Primary Road Project No. — from a point in U. S. Highway No. 31 in Warren County, Kentucky, by way of Oakland to point in old Bowling Green-Glasgow Road, approximately 2½ miles.

H. B. 185. An Act to establish State Primary Road Project No. — from a point near Richmond on Project No. 15 via Rockfield, via Newcut Road, via point in Proctor's Mill Road, via Browning, via Galloway's Mill to the Butler County line near Cave Hill.

H. B. 18. An Act establishing and designating the road leading from the Marion-Princeton State Highway near the

residence of Cliffe McClure in Crittendon County via Mexico, Frances and Dycusburg in Crittenden County, and Koon and Kuttawa Mineral Springs in Lyon County to Eddyville, Lyon County, a part of the Primary System of State Roads to be known as State Primary Road Project No. —.

H. B. 7. An Act to establish State Primary Road Project No. — to lead over the route from the Pineville-Harlan Road near Blackmont up Puckett's Creek to a point in the Virginia-Kentucky State line.

H. B. 63. An Act to establish State Primary Road Project No. — from East Bernstadt, in Laurel County, Kentucky, to McWhorter, in Laurel County, Kentucky.

H. B. 71. An Act relating to roads and bridges and amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920, by adding thereto Road Project No. — extending from Black's Ferry, Monroe County, to Meshack, Monroe County, and intersecting Project No. — leading from Burkesville, Cumberland County, to Tompkinsville, Monroe County.

H. B. 60. An Act relating to roads and bridges and amending Chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto, as Project No. — extending from Barbourville to Gatliff in Whitley County via Tye's Ferry on the south side of the Cumberland River.

H. B. 226. An Act adding additional road project to the present Primary System of Roads.

H. B. 228. An Act adding additional road project to the present State Primary System of roads.

H. B. 227. An Act adding additional road project to the present State Primary System of roads.

H. B. 234. An Act relating to roads and bridges, and amending Chapter 154, Acts of General Assembly of Kentucky, 1924, by adding thereto as Project No. — a road from Old Town to Keyhoe, in Greenup County.

H. B. 217. An Act establishing a road from Franklin, in Simpson County, Kentucky, to the Tennessee State line, near the town of Rapids, over the route known as the Franklin and Gallatin Road, as a State Primary Road, and designating said project as Project No. —.

H. B. 229. An Act to add to the State Primary System a road from Hitchens, Carter County, Kentucky, to the Mayo Trail in Lawrence County, Kentucky, at the residence of Jeff Collinsworth, via Willard, Webbville and Brammar Gap, and to be a part of Project No. —.

H. B. 349. An Act relating to roads and highways and describing and fixing a project to the Primary System of Roads and Highways.

H. B. 218. An Act establishing a road from Franklin, in Simpson County, Kentucky, to South Union in Warren County, Kentucky, at the Simpson County line, over the route known as the Franklin and Morgantown Road as a State Primary Road, and designating said project as Project No. —.

H. B. 112. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road running from Henderson, to Primary State Road No. 76 in Daviess County.

H. B. 225. An Act adding additional project to System of State Highways.

H. B. 107. An Act relating to roads and highways of the State Primary Road System.

H. B. 189. An Act relating to roads and highways, describing and fixing the project to be added to the Primary System of Roads and Highways.

H. B. 65. An Act to establish State Primary Road Project No. — from London, in Laurel County, Kentucky, via Johnson Hill, to Burning Springs, in Clay County, Kentucky.

H. B. 177. An Act establishing a road leading from Project No. 62 at Loretto, Marion County, Kentucky, to and intersecting with Project No. 46 at Shepherdsville, Bullitt County, Kentucky, by way of Smock's Chapel, the west side of Rohan's Knob, Mahoney's Store, along what is known as the Gilkey Run Pike, Greenwell's Ford, Bardstown, Samuels, Deatsville and Cedar Grove, and to be designated as Project 62a, of the Primary System of State Highways.

H. B. 346. An Act to provide for Primary Road beginning at North Pleasureville, in Henry County, Kentucky, and extending to South Pleasureville, in Henry County, Kentucky, and to be known as part of Project No. —.

H. B. 179. An Act to establish State Primary Road Project No. — from Mt. Vernon, in Rockcastle County, Kentucky, via Brush Creek and up Brush Creek to Hardin Moore's Store, in Rockcastle County, Kentucky.

H. B. 31. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

H. B. 135. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County, thence to Turnersville, Lincoln County, Kentucky, be and is hereby made a part of the State Primary System of Highways.

H. B. 111. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road running from Corydon, Henderson County, to Poole, Webster County, same connecting U. S. No. 60 and U. S. No. 41.

H. B. 9. An Act relating to Roads and Highways.

H. B. 1. An Act relating to Roads and Highways.

H. B. 359. An Act relating to Roads and Highways and describing and fixing a project to be added to the State System of Roads and Highways.

H. B. 342. An Act establishing as a part of the Primary System a road from Coburg to Project No. 41 near Caney Fork Creek.

H. B. 360. An Act to establish an additional project to the present State Highway System.

H. B. 220. An Act relating to roads and bridges amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as Project No. — a State Aid Inter-County Seat Road from Lawrenceburg, Anderson County, Kentucky, to Georgetown, Scott County, Kentucky.

H. B. 221. An Act relating to roads and bridges amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky 1920, by adding thereto as Project No. — beginning at a point on the Federal Project No. 160 at the intersection with the Bonds Mill Pike, thence with same to Bond's Mill, thence to Old Goshen Church on Hoop Pole Pike, thence to Ballard, thence to Rutherford School House, thence the most feasible route to Tatum Springs and Springfield, Washington County, Kentucky.

H. B. 222. An Act relating to roads and highways; establishing a project No. — beginning at an intersection with Federal Project No. 134 and the new Alton Pike to New Alton, thence to Pidgeon Fork Church over the Alton Station and Benson Creek Pike, thence to Harrisonville, thence to Waddy, thence to Patonia, Shelby County, Kentucky.

H. B. 193. An Act to amend Kentucky Statutes Section 4356-5, relating to the Primary System of State Highways.

H. B. 233. An Act to extend the Primary Road System, adopted in 1920 and amended in 1922, 1924, and 1926, from Eveleigh in Grayson County to the Paducah Highway at or near Harned in Breckinridge County via Madrid, McDaniels, Raff and West View.

H. B. 262. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road from a point upon U. S. Highway No. 60 three miles southwest of Henderson, to Mt. Vernon Ferry.

H. B. 308. An Act establishing a road from State Project No. 47, about one and one-half miles west of Springfield, Kentucky, by way of St. Rose, as part of the Primary System of State Highways, and designating said project as Project No. 47a.

H. B. 285. An Act establishing as a part of the Primary System of State Highways a road beginning on the Murray and Mayfield Highway at the west side of J. C. Camp's farm in Calloway County and running due north through Penny to the Marshall County line about eight miles.

H. B. 344. An Act establishing a road from Lebanon Junction in Bullitt County to State Project No. 75, known as the Bardstown Road, near the residence of W. L. Cofer in Hardin County by way of Colesburg in Hardin County, as a part of the Primary System of State Highways.

By Mr. Miller of the Committee on State Fair:

H. B. 307. An Act authorizing the Kentucky State Board of Agriculture to convey 4.93 acres more or less of its real estate in Louisville, Kentucky, to the Kentucky & Indiana Terminal Railroad Company for the consideration of the maintenance and operation of the railroad tracks by said Company where it is now located, to and within the Kentucky State Fair Grounds, and the construction and operation of platforms and railroad tracks for loading and unloading purposes for the use and benefit of the Kentucky State Fair and the maintenance thereof so long as said Kentucky State Fair is maintained and operated.

By Mr. Lewis of the Committee on Circuit Courts:

S. B. 15. An Act to amend Section 965 Carroll's Kentucky Statutes, relating to the time of holding the terms of Circuit Court in the 34th Judicial District, composed of the counties of McCreary, Whitley, and Knox and declaring an emergency.

S. B. 11. An Act to change and fix the time, place and terms of Court in the 20th Judicial District.

H. B. 259. An Act to amend Section 124 of the Sixth Edition of Carroll's Kentucky Statutes, so as to provide that the Commonwealth's Attorney shall receive no part of fines and forfeitures collected of defendants charged in an indictment with a greater offense than that for which judgment is rendered against him.

H. B. 64. An Act amending that part of Section 965, Kentucky Statutes, relating to the time for holding courts in the 28th Judicial District.

H. B. 268. An Act prescribing the daily hours of work for judges of Circuit Courts and Special Judge of such courts and for the arranging of the dockets therein by the regular or special judges.

By Mr. Gnau of the Committee on Cities of the 1st Class :

H. B. 174. An Act to amend and re-enact Sections 3, 4, and 8 of an Act entitled “An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33 of an Act entitled ‘An Act to amend an Act for the government of cities of the 1st Class,’ approved July 1, 1893, for the better government, administration and discipline of the Fire Department and to create and perpetuate a pension fund for disabled firemen, their widows and children and dependent fathers and mothers and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after a year’s term, approved March 19, 1902, and to provide for the creation, control and disposition, through trustees of a fund to be used in pensioning under certain conditions, firemen and the families of deceased firemen in cities of the 1st class, approved March 18, 1912, etc.

Without an expression of opinion as to the last named above bill.

By Mr. Baxter of the Committee on Criminal Law :

H. B. 292. An Act prohibiting an attempt to rape a female of and above twelve years of age, defining same and prescribing penalties therefor.

H. B. 66. An Act to repeal and re-enact Section 2554d-2, Kentucky Statutes, 1922, relating to persons securing the arrest and conviction of offenders in moonshine cases.

H. B. 197. An Act making it a crime to kidnap, decoy or entice away or to harbor a child under 16 years of age, and prescribing penalties for the violation of this Act.

H. B. 278. An Act to amend cold check law.

Without an expression of opinion as to the last named above bill.

By Mr. Graham of the Committee on Military Affairs:

S. B. 82. An Act to assist disabled ex-service men and women of the World War in obtaining from the Federal Government the relief authorized by Acts of Congress, continuing in existence for that purpose the Kentucky Disabled Ex-service Men's Board and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said Board, and declaring an emergency to exist.

By Mr. Charlie Smith of the Committee on Mines and Mining:

H. B. 73. An Act requiring owners or operators of coal mines, steel mills, foundries, machine shops and other like business, where 15 or more men are employed, to provide wash rooms for employees and provide penalties for failure so to do, and provide for inspection, maintenance, and regulation of such wash rooms.

Without an expression of opinion as to the last named above bill.

By Mr. Howard of the Committee on Public Health:

H. B. 196. An Act to require the use of a suction or exhaust system upon polishing and grinding machinery to

safeguard the health of workers, providing for enforcement and violation of this Act.

With the expression of opinion that said bill ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Payne of the Committee on Roads and Highways No. 1:

H. B. 79. An Act relating to condemnation of rights-of-way and payment therefor.

H. Res. 3. An Act directing the State Geologist to make survey, investigation, and analysis in Lyon County, and adjoining counties or in Franklin County and adjoining counties, in the vicinities of the State prisons to ascertain whether limestone and clay suitable for manufacturing Portland cement are contained therein; etc.

By Mr. Baxter of the Committee on Criminal Law:

H. B. 13. An Act establishing a State Bureau of Criminal Identification and Investigation and defining its powers and duties.

By Mr. Howard of the Committee on Public Health:

H. B. 127. An Act defining plumbing, master plumber and journeyman plumber; establishing and creating a State Board of plumbing commissioners; prescribing its powers and duties; providing for examinations and issuing certificates to qualified registered master plumbers and registered

journeyman plumbers and providing for penalties for violations of the provisions of this Act.

With the expression of opinion that said bills and resolution should not pass.

No motion having been made to advance said bills and resolution to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken on said bills and resolution by the House, said bills and resolution were rejected.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 140. An Act amending and re-enacting Section 13 of an Act entitled "An Act defining boundaries for school districts embracing cities of the 4th class, and providing systems of schools in such districts and creating board of education for such districts, providing for election thereof, defining their powers and duties and repealing all laws in conflict therewith," approved March 13, 1920, and is now Section 3587A-13, Carroll's 1922 Edition of the Kentucky Statutes.

With Amendments thereto.

H. B. 266. An Act empowering and authorizing cities of the 4th. Class to receive or purchase lands for Parks and Playgrounds.

H. B. 115. An Act relating to revenue and taxation in municipal corporations of the first class and in cities of the first class, providing that no municipal corporation of the first class or city of the first class shall impose a license, excise or privilege tax upon any person, firm or corporation for the privilege of operating motor vehicles.

H. B. 9. An Act to amend and re-enact Sections 3643-1, 3643-2, 3543-3, and 3643-13 of the Kentucky Statutes, Carroll's Edition, 1915, and as re-written in the 1922 Edition, authorizing and empowering the City Council of cities of the fifth class to regulate the improvement of sidewalks, curbing, sewers, streets, avenues, highways and public places of said towns.

H. B. 187. An Act to repeal and re-enact Sections 6, 9a and 15 of an Act to repeal and re-enact an Act granting pensions to indigent Confederate Soldiers, etc.

H. B. 186. An Act to give relief to the Court of Appeals by giving it authority to appoint four commissioners of said court, prescribing their qualifications, and term of office, their method of selection, their salary, and for clerical assistance.

H. B. 168. An Act requiring that all teachers in public schools shall keep daily a record of hours of actual service, filing same with supervising officer to become records of boards of education; and that the State Department of Education shall provide blanks for said records; and that employing boards shall pay salaries in accordance with hours of actual service indicated in such report.

With Amendment thereto.

H. B. 132. An Act providing free textbooks for all the children of the State who attend free public schools, grades one to eight, inclusive.

With Amendments thereto.

By Mr. R. L. Horn of the Committee on Juvenile Courts and Children's Homes:

H. B. 103. An Act to amend and re-enact Section 331e-17 relating to appointment and salary of a stenographer for Juvenile Court in counties having a city of first and second class and fixing compensation for said stenographer.

H. B. 126. An Act to promote the welfare of the delinquent, neglected, dependent or defective children of the State; repealing Chapter 107 of the Acts of 1922 and abolishing The Kentucky Child Welfare Commission created thereby; creating in its place a bureau with the duties, functions, rights and powers of the Kentucky Child Welfare Commission to be known as "The Kentucky Children's Bureau" and defining and prescribing its duties and functions; providing for the creation of Children's Bureaus in each county, and defining and prescribing their duties and functions; providing for the establishment of a State Mothers' Aid Fund and County Mothers' Aid Funds in each county to be administered under the State or County Children's Bureau respectively; providing for the administering of Mothers' Aid thruout the State; making an appropriation therefor for the benefit of the Kentucky Children's Bureau, and the State Mothers' Aid Fund; and authorizing county levies for the establishment of County Mothers' Aid Funds.

With Amendments thereto.

H. B. 11. An Act to define type to be used in recordable instruments.

H. B. 315. An Act to amend and re-enact Section 331e-5 Kentucky Statutes, Edition 1922, relating to the trial of juvenile offenders and allowing an appeal from the judgment of the Juvenile Court in such cases.

H. B. 347. An Act to authorize the regular Judge of a Quarterly Court to sign unsigned judgments rendered by another Judge of said court.

H. B. 323. An Act to amend and re-enact Section 2 of Chapter 52 of the Acts of the General Assembly of 1926 and fix the maximum per diem and expenses that any county board member may draw in any one year at one hundred dollars.

H. B. 270. An Act to amend an Act entitled "Police Court; Judge; Election; Qualification; Salary," which is Section 3146 Carroll's Statutes, 1922.

H. B. 260. An Act creating the office of assistant county attorney in counties having a population of over fifty thousand people and not having a city of the first class and second class, the manner of appointment, term of office, compensation, duties and qualifications.

H. B. 295. An Act to amend and re-enact Section 1851B-3 of the Kentucky Statutes (Carroll's 1922) providing for the appointment, term, duties, and compensation of the clerk of Fiscal Court, deputy clerk and stenographer, Jefferson county, Kentucky.

H. B. 298. An Act to repeal and re-enact Section 440, Carroll's Kentucky Statutes, Sixth Edition, 1922.

H. B. 299. An Act regulating magistrates' courts as prescribed by Section 142 of the Constitution of Kentucky.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

By unanimous consent Mr. Meyers introduced a bill of the following title, viz.:

H. B. 431. An Act relating to revenue and taxation, providing for a license tax on certain businesses or occupations, and repealing existing statutes.

Which was ordered to be printed and referred to Committee on Revenue and Taxation No. 1.

The hour of twelve o'clock Meridian having arrived, Mr. Jeter moved that the House do now recess for one hour.

Said motion was agreed to.

The hour of 1 o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

Mr. Nichols moved that the Rules of this House be suspended and that the House take up for immediate consideration, from the Clerk's desk, a bill entitled:

H. B. 178. An Act to create and to authorize the purchasing, acquiring and maintaining of a State School Text Book Printery and Bindery, and providing for the operation thereof, the employment of an editor and publisher of School Text Books for the use of Common Schools of this Commonwealth, and for the purchasing and acquiring copyrights and manuscripts of uncopyrighted school text books for the use of such schools of this Commonwealth and prescribing the duties of the State Purchasing Commission, and of the State Text Book Commission relating thereto, and authorizing the Kentucky Educational Association to participate in the selection of school text books and in the selection of editor and publisher of State School Text Books, and making it unlawful for any person connected with or employed in relation to

the printing, binding, editing and publishing School Text books under this Act, directly or indirectly, to participate in politics, and prescribing penalty therefor, and providing for their removal.

Mr. Jeter moved that said bill be re-committed with leave to report at any time.

Said motion was agreed to. •

Mr. Watkins moved that the Rules be suspended that a bill entitled:

H. B. 79. An Act relating to condemnation of rights-of-way and payment therefor, which was reported this morning by the Committee on Roads and Highways No. 1 with the expression of opinion that said bill should not pass, be read at length the first time, the report of the Committee to the contrary notwithstanding.

Said motion was agreed to.

Thereupon said bill was read at length the first time and ordered to be placed on the Calendar.

Mr. Crossland of the Committee on Enrollment reported that they had examined and found to be correctly enrolled a resolution of the following title, viz.:

S. Res. 8. Resolution providing for the payment of the per diem of the late Moorman B. Daniel had he lived to the end of the session.

Thereupon all other business was suspended, said resolution was read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker in

open session and in the presence of the House, affixed his signature thereto.

Ordered that said resolution be delivered to the Enrolling Clerk of the Senate.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 73. An Act to regulate the making and drawing of checks.

2. S. B. 81. An Act to repeal and re-enact Section 1160 of Baldwin's 1926 Supplement to Kentucky Statutes, Carroll's 1922 Edition, being Chapter 61 of the Acts of the General Assembly of 1922, being entitled "An Act to amend and re-enact Section 1160 Kentucky Statutes, Carroll's Edition 1915, relating to assault with attempt to rob" so that said section when thus repealed and re-enacted shall read as follows, viz.

3. S. B. 101. An Act prohibiting unlawful and malicious demand for money, or goods or other things of value, by menace, force, violence or threat or violence or blackmail or threat of blackmail, and fixing the penalty therefor.

4. S. B. 120. An Act to repeal and re-enact Sections 112-3 and 112-4 of the 1926 Supplement to Carroll's Kentucky Statutes, 1922 Edition, being Chapter 23 of the Acts of the General Assembly of 1924, relating to the office of Attorney General, providing for six assistant attorneys general, fixing the qualifications and salaries of said assistants, and providing for their expenses when called on business from the Capitol; and further providing for clerical and stenographic employes and their compensation.

Ordered that said bills be printed and referred as follows, viz.:

1, 2, and 3. To Committee on Criminal Law.

4. To Committee on Court of Appeals.

And that they had passed a bill which originated in this body entitled:

H. B. 40. An Act to regulate the business of brokers and prescribing penalties for the violation of this Act.

Ordered that said last named bill be delivered to the Enrolling Clerk of this House.

Mr. Meyers moved that the House do now adjourn until next Monday, February 6, at 1 o'clock P. M.

Said motion was agreed to.

And then the House adjourned.

MONDAY, FEBRUARY 6, 1928.

The House was opened with prayer by the Reverend J. C. Pelgrim of the Northern Presbyterian Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Walter J. Bailey	W. G. Buckner
A. L. Allen	A. J. Baldridge	S. J. Bunker
S. E. Anderson	W. O. Baxter	Sam P. Burnam
W. B. Ardery	T. H. Benton	E. L. Campbell
W. O. Bach	W. P. Bowman	J. G. Campbell

Chas. B. Carver	Herman Handmaker	A. M. Mercer
Harry Cochran	Brooks L. Hargrove	Harry J. Meyers
John Cooper	C. W. Hawkins	L. P. Murphy
J. O. Creech	Joseph M. Hayse	James H. Muse
C. B. Crossland	Phillip Helf	Andrew Nichols
J. R. Dorman	J. R. Hobbs	J. H. Payne
E. J. Doss	J. S. Hollan	Levi W. Powell
W. M. Duncan	H. B. Holland	J. G. Prather
Thos. J. Dunn	S. K. Holland	W. H. Pryor
D. E. Edwards	Ira L. Horn	B. A. Robertson
J. W. Edwards	Robt. L. Horn	C. W. Ryans
J. O. Evans	Josephus Howard	Charles Smith
Virgil Eversole	W. F. Hunter	Daniel Boone Smith
Chas. H. Fair	Lester Jeter	S. G. Smith
W. J. Fisher	T. M. Johnson	Dan Stamper
J. C. Flener	John C. Kemper	Frank L. Strange
Duke W. Fowler	John B. Klefot	J. G. Swearingen
Chas. B. Fulton	J. Porter Land	Mac Swinford
J. B. Furlong	S. D. Laughlin	J. B. Taylor
F. A. Gnau	Leon P. Lewis	E. G. Thomas
R. C. Graham	Wm. McClave	C. F. Thornton
W. T. Green	Wm. McRohan	P. H. Vincent
E. L. Hagan	J. L. Manning	J. C. Watkins
A. L. Hall	Luther Morse	L. M. Weathers
John G. B. Hall	C. C. May	J. A. White
T. W. Hardesty, Jr.	Henry Meiman	

Mr. Hawkins moved that reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body, entitled:

1. S. B. 142. An Act repealing Section 1905, Subsection 3, Kentucky Statutes, Baldwin's 1926 Supplement to Car-

roll's 1922 Edition, being Sections 2 and 3 of Chapter 95 of the Acts of the General Assembly of 1926, and enacting in lieu thereof an act empowering the State Game and Fish Commission to issue license to take, catch or kill mussels, and providing for the issuance of such licenses and fees therefor, etc.

2. S. B. 145. An Act to amend and re-enact Chapter 152 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1926, being an Act fixing the time when prisoners confined in the penal institutions of the state may become eligible for parole consideration.

Ordered that said bills be printed and referred:

1. To Committee on Fish and Game.
2. To Committee on Charitable and Penal Institutions.

Mr. Ryans moved that a leave of absence be granted to Mr. Handmaker.

Said motion was agreed to.

The Speaker laid before the House the following communication, viz.:

Hon. James Breathitt, Jr.,
Lieutenant Governor, Frankfort, Ky.

Hon. John S. Milliken,
Speaker, House of Representatives, Frankfort, Kentucky.

Gentlemen:

Some of the inmates of this institution wish to put on a show for the benefit of the Senators and Representatives and their families, which includes wives, sweethearts, children and friends. We would like to put it on Wednesday night, February 8th, beginning at 7:45 P. M., at this institution.

If this meets the approval of your two bodies, will you kindly let me know so we can get ready. Will be glad if you can arrange this.

Sincerely yours,

H. M. Beard, Superintendent.

Upon a call of the Counties and the Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Payne:

H. B. 432. An Act creating Road Project adding to the Highway System in Fulton County.

To Committee on Roads and Highways No. 3.

By same:

H. B. 433. An Act to add to the Highway system in Carlisle County.

To Committee on Roads and Highways No. 3.

By Mr. Fisher:

H. B. 434. An Act making provision for the payment to sheriffs for summoning witnesses to appear before a grand jury, for summoning grand and petit juries, for the arrest and transportation of insane persons, for the collection of sheriff's cost in misdemeanor cases and amending Article 11 of Chapter 20 of the Kentucky Statutes, the same being an Act of the General Assembly of May 1, 1893.

To Committee on Judiciary.

By same:

H. B. 435. An Act providing a penalty against any person who has a child under his control and who fails to comply with the law relating to sending his children to school.

To Committee on Education No. 2.

By same:

H. B. 436. An Act to add additional road projects to the Primary System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924:

To Committee on Roads and Highways No. 3.

By same:

H. B. 437. An Act to add additional road projects to the Primary System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

To Committee on Roads and Highways No. 3.

By same:

H. B. 438. An Act to add additional road projects to the Primary System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

To Committee on Roads and Highways No. 3.

By Mr. Vincent:

H. B. 439. An Act imposing a license tax on race tracks, at which races are run for purses or prizes, under the jurisdiction of the Kentucky State Racing Commission, and which license tax is in lieu of all other license, income, excise, spe-

cial or franchise tax to the State of Kentucky, or any County, City, Town, Municipality or other political subdivision thereof.

To Committee on Revenue and Taxation No. 1.

By Mr. Alcock:

H. B. 440. An Act to license and regulate the business of making loans in sums of three hundred dollars (\$300) or less, secured or unsecured, at a greater rate of interest than six (6) per centum, prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan, and repealing Chapter 126 of the Session Acts of 1912 as amended by Chapter 36 of the Session Acts of 1918, and repealing so much of Chapter 158 of the Session Acts of 1920 as applies to loan companies, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

To Committee on Kentucky Statutes.

By same:

H. B. 441. An Act making a road in Boyle County, Kentucky, a part of the State Highway System of Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 442. An Act authorizing the Governor to appoint seven commissioners, to be known as Commissioners of Perryville Battlefield, to have control and supervision over the maintenance and improvements of Perryville Battlefield, and appropriating Five Thousand Dollars (\$5,000) for the pur-

pose of building a road from the public highway to Perryville Battlefield and for improvements of said property, and to provide for the maintenance of the monument and surrounding grounds, said commissioners to serve without compensation.

To Committee on appropriations No. 2.

By Mr. S. G. Smith:

H. B. 443. An Act pertaining to oil and natural gas wells; requiring a certain notice and certain reports; fixing the time and place for filing same; fixing certain duties of County Court Clerks and the State Geologist; providing for fees and penalties; the disposition of such fees; and declaring an emergency.

To Committee on Oils and Minerals.

By Mr. Creech:

H. B. 444. An Act to amend and re-enact Chapter 23 of the Acts of the General Assembly, 1926, approved March 19, 1926, relating to reports to be made by certain financial institutions for purposes of taxation, and prescribing penalties for failure to make such reports.

To Committee on Banks and Banking.

By same:

H. B. 445. An Act to amend and re-enact Section 4 of Chapter 28 of the Acts of 1920 relating to disabled police and firemen pension fund.

To Committee on Cities of Second and Third Class.

By Mr. Green:

H. B. 446. An Act to repeal, revise and re-enact Section 4434a-14 Kentucky Statutes, John D. Carroll's Edition, being Act of March 16th, 1916, relating to salaries of teachers in rural public schools.

To Committee on Education No. 1.

By Mr. Hagan:

H. B. 447. An Act to amend and re-enact the second and third paragraphs of Section 2241 Carroll's Kentucky Statutes, relating to obtaining and selection of Grand and Petit Jurors and the duties of jury commissioners pertaining thereto, being a part of Article 1, Chapter 74 of said Statutes.

To Committee on Circuit Courts.

By same:

H. B. 448. An Act providing that money appropriated by Congress under the "Forest Reserve Act" shall be paid to the State Auditor; duty of County Treasurer in regard to Forest Reserve land; what State Auditor to do upon report of amount of such lands.

To Committee on Forestry.

By same:

H. B. 449. An Act establishing and making a road leading from the Dixie Highway, known as U. S. Highway No. 31, at a point near Dew Drop Inn, by way of Glendale, to Federal Project No. 147 opposite or nearly opposite Long Grove in Hardin County.

To Committee on Roads and Highways No. 3.

By Mr. Prather:

H. B. 450. An Act relating to roads and highways, describing and establishing a project as part of the State Primary System of Roads and Highways.

To Committee on Roads and Highways No. 3.

By Mr. Hall:

H. B. 451. To prohibit the sale of liquid fuels, lubricating oils, and similar products, under false or fictitious names; the use of containers, tanks, pumps or other distributing equipment, for storage or sale of said products, other than those indicated by the device, sign or other distinguishing mark upon such containers, pumps or distributing equipment; to prohibit adulteration; and fixing punishment therefor.

To Committee on Kentucky Statutes.

By Mr. Hall:

H. B. 452. An Act to amend and re-enact Section 756 of Chapter 3 of Carroll's Civil Code, 1919 Edition.

To Committee on Codes of Practice.

By Mr. Lewis:

H. B. 453. An Act to provide for the transportation of crippled children and certain other pupils, to and from the public schools in cities of the first class.

To Committee on Cities of the 1st Class.

By same:

H. B. 454. An Act to repeal, amend and re-enact Section 606 of the Civil Code of Practice of Kentucky.

To Committee on Codes of Practice.

By same:

H. B. 455. An Act to amend Section 22 and Section 24 of an Act entitled "An Act to amend the school laws and to create Boards of Education and to define their duties in cities of the First Class," being Section 2978a-22 and Section 2978a-24, respectively, of Carroll's Kentucky Statutes, Edition of 1922.

To Committee on Cities of 1st Class.

By Mr. Hayse:

H. B. 456. An Act to repeal Section 4960 of Carroll's Kentucky Statutes, Edition of 1922, being Sections 76a and 76b of an Act known as Chapter 33, Acts of the General Assembly of Kentucky, Session of 1916, approved March 23, 1916, and entitled "An Act to provide an elective system of Workmen's Compensation."

To Committee on Compensation for Industrial Injuries.

By Mr. Dorman:

H. B. 457. An Act relating to revenue and taxation, defining powers and duties of County Boards of Supervisors, and specifying time Boards may remain in session, defining duties of County Court Clerks, and prescribing penalties for failure to perform such duties, providing compensation for Supervisors and Clerks, providing for giving notice to taxpayers of assessment or increase in assessment of property by

Board of Supervisors, defining duties of Sheriff, providing compensation for his services and prescribing penalties for failure to perform his duties, requiring non-resident owners of property in any county to designate an Agent in said County upon whom notice of assessment or increase in assessment may be served, and repealing, amending and re-enacting Sections 4121, 4122, and 4127 of Kentucky Statutes.

To Committee on Revenue and Taxation No. 1.

By Mr. Dorman:

H. B. 458. An Act to amend and re-enact an Act entitled "An Act to repeal and re-enact Section 11 of Chapter 114 of the Acts of 1922," being now Section 4114-1-eleven of the Kentucky Statutes, Carroll's Edition of 1922, relating to Revenue and Taxation, and defining duties of the State Tax Commission.

To Committee on Revenue and Taxation.

By Mr. Baldridge:

H. B. 459. An Act fixing the time for holding of Circuit Courts in the Twentq-fourth Judicial District of Kentucky.

To Committee on Circuit Courts.

By Mr. Meyers:

H. B. 460. An Act in relation to the practice of barbering in cities of first and second classes, requiring the registration of barbers and apprentices, defining the practice of barbering, setting out the exemptions, qualifications for certificates of registration, providing for examinations, for licensing of barbers from another state for present practition-

ers, for renewal and restoration, refusal and revocation of certificates, for license fees, for hearings of accused barbers, setting out acts prohibited, and punishment, etc.

To Committee on Public Health.

By same:

H. B. 461. An Act proposing an amendment to Section 1 of the Constitution of Kentucky relating to the limit of indebtedness upon counties, taxing districts and municipalities and proposing the submission of such amendment to the voters of the State of Kentucky for their ratification or rejection at the next General Election for members of the House of Representatives.

To Committee on Constitutional Amendments.

By same:

H. B. 462. An Act entitled an Act defining the rights and duties of automobile and garage owners.

To Committee on Cities of the 2nd and 3rd Class.

By Mr. Howard:

H. B. 463. An Act to repeal and re-enact Section 2047 Kentucky Statutes which was originally Section 1 of Chapter 185 of the Acts of 1893; amended by Chapter 34 of the Acts of 1905 and further amended by Chapter 120, Section 1, of the Acts of 1920 relating to the establishment, appointment, qualification, term of office, number of members and duties of the State Board of Health.

To Committee on Public Health.

By Mr. D. B. Smith:

H. B. 464. An Act relating to roads and highways and describing and fixing a project in Knox County, etc.

To Committee on Roads and Highways No. 2.

By same:

H. B. 465. An Act to impose a special license tax upon all paid admissions to places of amusement, providing for the enforcement of the Act, fixing penalties for violations of its provisions and appropriating revenue derived therefrom.

To Committee on Revenue and Taxation No. 1.

By Mr. Bach:

H. B. 466. An Act to amend Section 4356t-5, of Kentucky Statutes, as to include all Public Roads and Highways in the Commonwealth of Kentucky, etc.

To Committee on Roads and Highways No. 1.

By Mr. Edwards:

H. B. 467. An Act to amend Chapter 17 of the Acts of the General Assembly of 1920, relating to roads and bridges.

To Committee on Roads and Highways No. 3.

By Mr. H. B. Holland:

H. B. 468. An Act repealing Chapter 80, Acts of 1926, relating to the assessment and collection of taxes for school purposes and providing for the method of levying taxes and collecting same.

To Committee on Education No. 1.

By same:

H. B. 469. An Act relating to Roads and Highways and establishing Project —.

To Committee on Roads and Highways No. 2.

By same:

H. B. 470. An Act relating to roads and highways and establishing project —.

To Committee on Roads and Highways No. 2.

By Mr. May:

H. B. 471. An Act to prohibit the sale of liquid fuels, lubricating oils, and similar products, under false or fictitious names, the use of containers, tanks, pumps or other distributing equipment for the storage or sale of fuels, oils, or similar products, other than those indicated by the name, device, sign or distinguishing marks upon such containers, pumps, or distributing equipment; to prohibit adulteration; and fixing penalties.

To Committee on Kentucky Statutes.

By Mr. Cooper:

H. B. 472. An Act relating to revenue and taxation, imposing a privilege tax upon the business of severing sand and gravel in this Commonwealth for the purpose of sale; amending Sections 4702 and 4703, Kentucky Statutes, Carroll's Edition 1922, as amended by the Session Acts 1926, Chapter 184;

providing the manner of ascertaining and computing said tax and providing for the administration and collection of same, and fixing penalties for the violation thereof; providing exemptions from the provisions of this Act and providing for the disposition of the revenue derived under this Act; that no county, city, town, or other taxing district shall impose a privilege tax upon the business of severing sand and gravel affected by this Act.

To Committee on Revenue and Taxation No. 1.

By Mr. Doss:

H. B. 473. An Act providing that it shall be unlawful for any manufacturer of commercial fertilizers to offer for sale fertilizers until formula and analysis shall have been registered in the State Experiment Station, etc.

To Committee on Agriculture.

By Mr. Hawkins:

H. B. 434. An Act to amend and re-enact Section 7, Chapter 27 of the Kentucky Statutes, in relation to contracts and the Statute of Frauds.

To Committee on Kentucky Statutes.

By Mr. Robertson:

H. B. 475. An Act to amend and re-enact Section 2380-39 Kentucky Statutes, Carroll's 1922 Edition, being Section 39 of Chapter 132 of the Acts of the General Assembly of 1912.

To Committee on Public Ditches.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. J. S. Hollan of the Committee on Cities of the 4th Class:

H. B. 406. An Act repealing Sections 1486 to 1506, inclusive, of Kentucky Statutes, Carroll's Edition, relating to registration in certain cities and towns, including cities of the 4th class, and enacting in lieu thereof an Act providing for registration for elections in cities of the 4th class, including those having population of less than five thousand.

By Mr. Robertson of the Committee on Geological Survey:

S. B. 86. An Act creating the Kentucky Geological Survey, designating its Executive Officer and his duties and providing funds for its maintenance.

By Mr. Doss of the Committee on Insurance, Life and Casualty:

H. B. 318. An Act to amend Section 4237a-1 relating to insurance.

By Mr. S. K. Holland of the Committee on Kentucky Statutes:

H. B. 106. An Act to amend and re-enact Section 2097 Kentucky Statutes, Carroll's 1915 Edition, relating to marriages which are prohibited and declared void.

H. B. 116. An Act to amend and re-enact Section 2105 Kentucky Statutes, being Chapter 205, Article 1, Section 10 of Acts of 1895, relating to marriage.

H. B. 230. An Act authorizing official stenographic court reporters for all circuit courts in this Commonwealth to take depositions in shorthand and compel the attendance of witnesses and to administer oaths in any county in this Commonwealth.

By Mr. May of the Committee on Banks and Banking:

H. B. 208. An Act to amend Section 582 of Carroll's Kentucky Statutes, by striking therefrom the word "five" before the word "years" and inserting in lieu thereof the word "ten."

H. B. 206. An Act to amend Section 861 of the Kentucky Statutes relating to the power of Building Associations to borrow.

With an Amendment thereto.

By Mr. Fulton of the Committee on Normal Schools:

S. B. 89. An Act to appropriate the sum of One Hundred Eighty-four Thousand, One Hundred Forty-five (\$184,145.66) Dollars and Sixty-six cents for the use and benefit of the Kentucky State Industrial College for Colored Persons for the training of Teachers and Industrial Leaders.

By Mr. Edwards of the Committee on Public Bridges and Ferries:

H. B. 255. An Act to require all owners and lessees of all ferries operated on any stream in this Commonwealth, where roads and public highways, other than those embraced in the State Primary System by being actually surveyed and contracts let for the building of same, and State maintained highways, cross, to grade, hard surface and maintain such roads

from low-water mark to high-water mark on the banks of such streams, repealing all laws in conflict with this Act, and providing penalties for its violation.

S. B. 8. An Act enabling cities of the First Class to construct, operate and maintain bridges across navigable streams so as to connect such cities with an adjoining state; providing for a commission in such cities of the First Class to construct, operate, control and maintain such bridges, and duties of such Commission, and providing for the issuance of revenue bonds of such cities to pay the cost thereof, payable solely through bridge tolls without the incurrence of indebtedness of any such city.

By Mr. J. G. B. Hall of the Committee on Public Ditches:

H. B. 77. An Act to repeal and re-enact Section 2380, subsection 46, Kentucky Statutes, Carroll's Edition, 1922, relating to employment of attorneys by drainage commissioners.

By Mr. Hobbs of the Committee on State Parks:

H. B. 384. An Act to create a State Commission, to be known as the Kentucky National Park Commission, prescribing the number of the members thereof, the Governor being ex-officio member, and the payment of their expenses; providing for a director and assistants, and for their salaries; providing the Commission with the power to condemn lands for national park purposes as provided by law in the condemnation of lands for steam railroads, and designating the duties of the Attorney General, Commonwealth Attorney, and County Attorney; investing the Commission with the power to purchase and acquire real estate and other kinds of property for national park purposes, and to hold, barter, sell and convey same for such purposes; providing for an appropria-

tion not to exceed the sum of Thirty Thousand (\$30,000) Dollars to be used for the purpose of carrying into effect the provisions of this Act; providing for the manner in which the expenses of the Commissioners, the salary of the Director and of his assistants, shall be paid; providing for the payment of expenses of condemnation proceedings and such other expenses necessary to convey to the United States Government for National Park purposes the property acquired under this Act; to empower the Commission to make, adopt and enforce rules and regulations necessary to carry out the purposes of this Act; and declaring an emergency to exist.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Jeter moved that the Rules be suspended and that a bill entitled:

H. B. 17. An Act providing for the election of County Superintendent by popular vote,

Be called from the Committee on Education No. 1 and read at length the first time.

Mr. Vincent moved that the House do now adjourn.

Said motion was disagreed to.

Said motion as made by Mr. Jeter was then agreed to.

Thereupon the Committee on Education No. 1 to which the same had been previously referred, reported said bill in accordance with said motion and said bill was read at length the first time and placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 243. An Act increasing the powers of the State Highway Commission, with reference to building bridges, etc.

With a Committee Amendment thereto by way of Substitute therefor.

H. B. 281. An Act relating to revenue and taxation, imposing an excise or license tax on gasoline and all other liquid fuels, including all liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of, and condensates from petroleum, natural gas, coal tar, vegetable ferments, and from all other products, so usable and sold in this Commonwealth at wholesale, as the words "at wholesale" are defined in this Act; except kerosene fuel oil, and crude oil as such; providing for the collection of such tax; exempting gasoline from local excise taxes; the distribution and use of the revenue derived therefrom, the administration of said law, fixing fines and penalties for the violation of this Act; repealing Chapter 69, Acts of 1926, the present gasoline tax law.

H. B. 190. An Act to prohibit the running at large of cattle or any species thereof in any voting precinct, magisterial district or county, and rights-of-way embraced in the State Primary System while roads are under construction or reconstruction on such rights-of-way in any voting precinct, etc., and to repeal Sections 4646, 4647, 4648, 4649, 4650, and 4651 Carroll's Kentucky Statutes, and Section 4649a Baldwin's 1926 Supplement to Kentucky Statutes, and all laws in conflict with this Act, and providing for the violation of this Act and declaring an emergency.

H. B. 257. An Act providing for a Memorial bridge to Kentucky's ex-service men of all wars.

H. B. 182. An Act to establish State Primary Road Project No. — beginning at Meadow's Farm, about five miles northeast of Bowling Green on State Project 11, thence via old Glasgow road to intersection with State Project 1, one mile east of Smith's Grove.

H. B. 139. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which Act relates to roads and bridges and the creation of the department of State Roads and Highways, etc.

H. B. 138. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 session, approved March 16, 1920, which Act relates to roads and bridges and the creation of the department of State Roads and Highways.

H. B. 273. An Act relating to roads and highways, creating a road from a point near Lewisburg, Kentucky, to the Butler County line.

H. B. 356. An Act establishing and creating as a part of the Primary Road System the road leading from Monticello to the Tennessee State line.

H. B. 345. An Act to establish a connecting link between the Cecilia Garfield road and the proposed road running from Four Corners and connecting with the North Dixie Highway in Hardin County, Kentucky.

H. B. 282. An Act relating to the Primary Road System, leading from Pineville to Holton, approximately 18 miles.

H. B. 309. An Act to establish a road from Scottsville to Fountain Run by the way of Maynard as a part of the Primary System of State Highways.

H. B. 279. An Act to add to Kentucky Primary System a road beginning in Union County opposite Shawneetown, Illinois, through Uniontown to the Henderson County line connecting with the Morganfield and Smith Mills road.

H. B. 284. An Act to amend Chapter 222 of the Acts of the General Assembly of 1926, relating to roads and highways and extending the primary highway system from Mayfield, Graves County, via Farmington, Coldwater, Stella, Murray, Pottertown and Brandon's Mill to Pine Bluff in Calloway County.

H. B. 310. An Act to establish State Primary Road Project No. — from Glasgow, Ky., county seat of Barren County, to Fountain Run, Ky.

H. B. 258. An Act establishing and adding road project to the State Primary Road System.

H. B. 261. An Act to add to the Primary System of Public Highways, a road leading from Harlan in Harlan County, to Keokee, Virginia in Wise County, Virginia, and known as the Clover Fork Trail.

H. B. 274. An Act placing a road in Mercer and Boyle counties upon the Primary Road System.

H. B. 271. An Act putting a road on the Primary System in Lincoln County.

H. B. 272. An Act placing a road on the Primary System in Lincoln County.

H. B. 137. An Act entitled an Act, establishing and making the road from Hustonville, Lincoln County, Kentucky, to Mt. Salem, Lincoln County, Kentucky, a part of the Primary

System of the State Highways of the Commonwealth of Kentucky and Designating said road as Project No. —.

H. B. 136. An Act to amend Section five of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County, thence to Kings Mountain, Lincoln County, Kentucky, and on to a point nearby intersecting the State Highway running between Danville, Kentucky, and Somerset, Kentucky, be and is hereby made a part of the State Primary System of Highways.

H. B. 69. An Act establishing and making the road from and beginning at a point near Hall's Gap in Lincoln County, Kentucky, and running to Ottenheim, Lincoln County, Kentucky, thence to Crab Orchard, Lincoln County, Kentucky, a part of the Primary System of State Highways of the Commonwealth of Kentucky.

H. B. 68. An Act establishing and making the road from and beginning at a point three-quarters of a mile south of Shelby City, Boyle County, Kentucky, and running eight miles to Stanford, Lincoln County, Kentucky, a distance of approximately eight miles to be known in the future as the Isaac Shelby Highway, a memorial to Kentucky's first Governor, and the same be and is hereby made a part of the Primary System of the State Highways of the Commonwealth of Kentucky.

H. B. 184. An Act to establish State Primary Road Project No. — from Greenwood on State Project No. 37 via Woodburn County Farm, McDavid Farm, to State Project No. 1 near Simpson County line, then via State Project No. 1 to Proctor Mill Road, via Browning and Gaines Hill to the Logan County line, approximately twelve miles.

H. B. 183. An Act to establish State Primary Road Project No. — from a point in U. S. Highway No. 31 in Warren County, Kentucky, by way of Oakland to point in the old Bowling Green-Glasgow Road approximately 2½ miles.

H. B. 185. An Act to establish State Primary Road Project No. — from a point near Richmond on Project No. 15 via Rockfield, via Newcut Road, via point in Proctor's Mill Road, via Browning, via Galloway's Mill to the Butler County line near Cave Hill.

H. B. 18. An Act establishing and designating the road leading from the Marion-Princeton State Highway near the residence of Cliffie McClure in Crittendon County via Mexico, Frances and Dycusburg in Crittenden County, and Koon and Kuttawa Mineral Springs in Lyon County to Eddyville, Lyon County, a part of the Primary System of State Roads to be known as State Primary Road Project No. —.

H. B. 7. An Act to establish State Primary Road Project No. — to lead over the route from the Pineville-Harlan Road near Blackmont up Puckett's Creek to a point in the Virginia-Kentucky State Line.

H. B. 63. An Act to establish State Primary Road Project No. — from East Bernstadt, in Laurel County, Kentucky, to McWhorter, in Laurel County, Kentucky.

H. B. 71. An Act relating to roads and bridges and amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920, by adding thereto road Project No. — extending from Black's Ferry, Monroe County to Meshack, Monroe County and intersecting Project No. — leading from Burkesville, Cumberland County to Tompkinsville, Monroe County.

H. B. 60. An Act relating to roads and bridges and amending Chapter 17, Acts of the General Assembly of the Commonwealth of Kentucky 1920, by adding thereto, as Project No. — extending from Barbourville to Gatliff in Whitley County via Tye's Ferry on the South side of Cumberland River.

H. B. 226. An Act adding additional road project to the present Primary System of roads.

H. B. 228. An Act adding additional road projects to the present State Primary System of Roads.

H. B. 227. An Act adding additional road project to the present State Primary System of Roads.

H. B. 234. An Act relating to roads and bridges, and amending Chapter 154, Acts of General Assembly of, Kentucky 1924, by adding thereto as Project No. — a road from Old Town to Keyhoe, in Greenup County.

H. B. 217. An Act establishing a road from Franklin, in Simpson County, Kentucky, to the Tennessee State line, near the town of Rapids, over the route known as the Franklin & Gallatin road, as a State Primary Road and designating said project as Project No. —.

H. B. 229. An Act to add to the State Primary System a road from Hitchens, Carter County, Kentucky, to the Mayo Trail in Lawrence County, Kentucky, at the residence of Jeff Collinsworth, via Willard, Webbville and Brammar Gap, and to be a part of Project No. —

H. B. 349. An Act relating to roads and highways and describing and fixing a project to the Primary System of Roads and Highways.

H. B. 218. An Act establishing a road from Franklin, in Simpson County, Kentucky, to South Union in Warren County, Kentucky, at the Simpson County line, over the route known as the Franklin & Morgantown Road as a State Primary Road, and designating said project as Project No. —.

H. B. 112. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road running from Henderson to Primary State Road No. 76 in Daviess County.

H. B. 225. An Act adding additional project to System of State Highways.

H. B. 107. An Act relating to roads and highways of the State Primary Road System.

H. B. 189. An Act relating to roads and highways, describing and fixing the project to be added to the Primary System of Roads and Highways.

H. B. 65. An Act to establish State Primary Road Project No. — from London, in Laurel County, Ky. via Johnson Hill, to Burning Springs, in Clay County, Ky.

H. B. 177. An Act establishing a road leading from project No. 62 at Loretto, Marion County, Kentucky, to and intersecting with Project No. 46 at Shepherdsville, Bullitt County, Kentucky, by way of Smock's Chapel, the west side of Rohan's Knob, Mahoney's Store, along what is known as the Gilkey Run Pike, Greenwell's Ford, Bardstown, Samuels, Deatsville and Cedar Grove, and to be designated as Project 62a, of the Primary System of State Highways.

H. B. 346. An Act to provide for primary road beginning at North Pleasureville, in Henry County, Kentucky and ex-

tending to South Pleasureville, in Henry County, Ky., and to be known as part of Project No. —

H. B. 179. An Act to establish State Primary Road Project No. — from Mt. Vernon, in Rockcastle County Kentucky, via Brush Creek and up Brush Creek to Hardin Moore's Store, in Rockcastle County, Kentucky.

H. B. 31. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

H. B. 135. An Act to amend Section five of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County, thence to Turnersville, Lincoln County, Kentucky, be and is hereby made a part of the State Primary System of Highways..

H. B. 111. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road running from Corydon, Henderson County, to Poole, Webster County, same connecting U. S. No. 60 and U. S. No. 41.

H. B. 9. An Act relating to Roads and Highways.

H. B. 1. An Act relating to Roads and Highways

H. B. 359. An Act relating to Roads and Highways and describing and fixing a project to be added to the State System of Roads and Highways.

H. B. 342. An Act establishing as a part of the Primary System, a road from Coburg to Project No. 41 near Caney Fork Creek.

H. B. 360. An Act to establish an additional project to the present State Highway System.

H. B. 220. An Act relating to roads and bridges, amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1920, by adding thereto as Project No. — a state aid intercounty seat road from Lawrenceburg, Anderson County, Kentucky to Georgetown, Scott County, Kentucky.

H. B. 221. An Act relating to roads and bridges, amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky 1920, by adding thereto as Project No. —, beginning at a point on Federal Project No. 160 at the intersection with the Bonds Mill Pike thence with same to Bonds Mill, thence to Old Goshen Church on Hoop Pole Pike, thence to Ballard, thence to Rutherford School House, thence the most feasible route to Tatum Springs and Springfield, Washington County, Kentucky.

H. B. 222. An Act relating to roads and highways; establishing a project No. — beginning at an intersection with Federal Project No. 134 and the new Alton Pike Alton, thence to Pidgeon Fork Church over the Alton Station and Benson Creek Pike, thence to Harrisonville, thence to Waddy, thence to Patonia, Shelby County, Kentucky.

H. B. 193. An Act to amend Kentucky Statutes Section 4356-5, relating to the Primary System of State Highways.

H. B. 233. An Act to extend the Primary Road System adopted in 1920 and amended in 1922, 1924 and 1926, from Eveleigh in Grayson County to the Paducah Highway at or near Harned in Breckinridge County via Madrid McDaniels, Raff and West View.

H. B. 262. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road from a point upon U. S. Highway No. 60 three miles south-west of Henderson, to Mt. Vernon Ferry.

H. B. 308. An Act establishing a road from State Project No. 47, about one and one half miles west of Springfield, Kentucky, by way of St. Rose, as part of the Primary System of State Highways, and designating said project as project No. 47-a.

H. B. 285. An Act establishing as a part of the Primary System of State Highways a road beginning on the Murray and Mayfield Highway at the west side of J. C. Camp's farm in Calloway County and running due north through Penny to the Marshall County line about eight miles.

H. B. 344. An Act establishing a road from Lebanon Junction in Bullitt County to State Project No. 75, known as the Bardstown Road, near the residence of W. L. Cofer in Hardin County by way of Colesburg in Hardin County, as a part of the Primary System of State Highways.

H. B. 307. An Act authorizing the Kentucky State Board of Agriculture to convey 4.93 acres more or less of its real estate in Louisville, Kentucky, to the Kentucky & Indiana Terminal Railroad Company for the consideration of the maintenance and operation of the railroad tracks by said Company, where it is now located, to and within the Kentucky State Fair Grounds, and the construction and operation of platforms and railroad tracks for loading and unloading purposes for the use and benefit of the Kentucky State Fair and the maintenance thereof so long as said Kentucky State Fair is maintained and operated.

S. B. 15. An Act to amend section 965 Carroll's Kentucky Statutes, relating to the time of holding the terms of

circuit court in the 34th Judicial District, composed of the counties of McCreary, Whitley and Knox and declaring an emergency.

S. B. 11. An Act to change and fix the time, place and terms of Court in the 20th Judicial District.

H. B. 259. An Act to amend Section 124 of the Sixth Edition of Carroll's Kentucky Statutes, so as to provide that the Commonwealth's Attorney shall receive no part of fines and forfeitures collected of defendants charged in an indictment with a greater offense than that for which judgment is rendered against him.

H. B. 64. An Act amending that part of Section 965, Kentucky Statutes, relating to the time for holding courts in the 28th Judicial District.

H. B. 268. An Act prescribing the daily hours of work for judges of Circuit Courts and Special Judge of such courts and for the arranging of the dockets therein by the regular or special judges.

H. B. 174. An Act to amend and re-enact Section 3, 4 and 8 of an Act entitled "An Act to repeal sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled 'An Act to amend an Act for the government of cities of the 1st class, approved July 1, 1893 for the better government, administration and discipline of the Fire Department and to create and perpetuate a pension fund for disabled firemen, their widows and children and dependent fathers and mothers and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after a years' term approved March 19, 1902 and to provide for the creation, control and disposition, through trustees of a fund to be used in pensioning under certain con-

ditions, firemen and the families of deceased firemen in cities of the 1st class,' approved March 18, 1912, etc.'"

H. B. 292. An Act prohibiting an attempt to rape a female of and above twelve years of age, defining same and prescribing penalties therefor.

H. B. 66. An Act to repeal and re-enact Section 2554d-2, Kentucky Statutes, 1922, relating to persons securing the arrest and conviction of offenders in moonshine cases.

H. B. 197. An Act making it a crime to kidnap, decoy or entice away or to harbor a child under 16 years of age and prescribing penalties for the violation of this act.

H. B. 278. An Act to amend cold check law.

S. B. 82. An Act to assist disabled ex-service men and women of the World War in obtaining from the federal government the relief authorized by acts of Congress, continuing in existence for that purpose the Kentucky Disabled Ex-service Men's Board and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said Board, and declaring an emergency to exist.

H. B. 73. An Act requiring owners or operators of coal mines, steel mills, foundries, machine shops and other like businesses, where 15 or more men are employed, to provide wash rooms for employees and provide penalties for failure so to do, and provide for inspection, maintenance, and regulation of such wash rooms.

H. B. 196. An Act to require the use of a suction or exhaust system upon polishing and grinding machinery to safeguard the health of workers, providing for enforcement and violation of this act.

H. B. 79. An Act relating to condemnation of rights of way and payment therefor.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bill at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Crossland moved that all bills in the Orders of the Day specifically establishing or seeking to establish Road Projects to the State Primary Road System, be laid upon the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 41. An Act to establish the Judicial Council of the Commonwealth of Kentucky and to provide for its duties and expenses.

Mr. Crossland moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 14. An Act to appropriate five thousand dollars (\$5,000) a year for each of the fiscal years, 1927-28; and 1928-29 to the Kentucky State Fair for the purpose of meeting

premium expenses of the said State Fair in promoting livestock contests for boys' and girls' club work and adult feeders in this Commonwealth, and providing for the apportionment of eighty (80%) per cent, or more of said appropriation to boys' and girls' club work and twenty (20%) per cent or less, of said appropriation to adult feeders, and providing for reports to the Auditor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the following sums are hereby appropriated out of any money in the State Treasury not otherwise appropriated to the Kentucky State Fair to be used in the payment of such premiums as may be offered by said State Fair in holding annual livestock shows at the Bourbon Stock Yards, Louisville, Kentucky, at such times as the State Board of Agriculture shall decide upon the holding of said exhibit to-wit: five thousand dollars for the fiscal year ending June 30th, nineteen hundred twenty-nine, and five thousand dollars for the fiscal year ending June 30th, nineteen hundred thirty. Said appropriation to be used for the purpose of promoting livestock contests in boys' and girls' club work and adult feeders in the Commonwealth of Kentucky as follows: The amount apportioned for boys' and girls' club work to be eighty (80%) per cent, or more, and for adult feeders twenty (20%) per cent, or less, of said appropriation, for each year. The Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasury of Kentucky for said sum for each of said fiscal years upon the requisition of the Chairman of said Board. Any part of said sum unexpended during any fiscal year shall be refunded by said Chairman of said Board to the Treasury of Kentucky. It shall be the duty of said Chairman to file a written report annually with the Auditor of Kentucky showing how said sums have been expended, to

whom same were paid, accompanied by vouchers showing each item.

§ 2. All acts, parts of acts or laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Thos. J. Dunn	Robt. L. Horn
A. L. Allen	D. E. Edwards	W. F. Hunter
S. E. Anderson	J. W. Edwards	T. M. Johnson
W. O. Bach	J. O. Evans	John C. Kemper
Walter J. Bailey	Chas. H. Fair	John B. Klefot
A. J. Baldridge	W. J. Fisher	J. Porter Land
W. O. Baxter	J. C. Flener	S. D. Laughlin
T. H. Benton	Duke W. Fowler	Leon P. Lewis
W. P. Bowman	Chas. B. Fulton	Wm. McClave
Thos. L. Britton	J. B. Furlong	J. L. McKnight
W. G. Buckner	R. C. Graham	Wm. McRohan
S. J. Bunger	W. T. Green	J. L. Manning
Sam P. Burnam	E. L. Hagan	C. C. May
J. G. Campbell	A. L. Hall	Luther Morse
Chas. B. Carver	John G. B. Hall	Henry Meiman
Harry Cochran	Brooks L. Hargrove	Harry J. Meyers
John Cooper	C. W. Hawkins	E. B. Miller
J. O. Creech	Phillip Helf	L. P. Murphy
C. B. Crossland	J. R. Hobbs	James H. Muse
J. R. Dorman	H. B. Holland	L. C. Nell
E. J. Doss	S. K. Holland	Andrew Nichols
W. M. Duncan	Ira L. Horn	Levi W. Powell

W. H. Pryor	Dan Stamper	E. G. Thomas
B. A. Robertson	Frank L. Strange	C. F. Thornton
Charles Smith	J. G. Swearingen	J. C. Watkins
Daniel Boone Smith	Mac Swinford	L. M. Weathers
S. G. Smith	J. B. Taylor	J. A. White

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Resolved that the title thereof be as aforesaid.

Mr. Carver moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 236. An Act authorizing and empowering the State Board of Agriculture to anticipate the receipts and borrow money for the current expenses of the Kentucky State Fair.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That when it shall appear to the State Board of Agriculture that funds are needed for the purpose of promoting and conducting the State Fair to be held thereafter in this State, that the State Board of Agriculture be and it is hereby authorized and empowered to borrow money and pledge the anticipated receipts of the Kentucky State Fair for the purpose of paying the current expenses of the Kentucky State Fair.

§ 2. When, in the opinion of the State Board of Agriculture, it shall become necessary or proper to borrow money to meet the expenses of the Kentucky State Fair for the cur-

rent year, said State Board of Agriculture, or a majority thereof, will adopt a resolution setting forth the purposes for which the money is to be used.

§ 3. When the State Board of Agriculture shall have adopted the resolutions as provided for in paragraph two, then its chairman, the Commission of Agriculture, Labor and Statistics, will negotiate for and borrow such sum or sums, not exceeding the amount set forth in said resolution on the best obtainable terms and for a period not extending more than thirty days after the close of the next succeeding annual exhibition given by the Kentucky State Fair for the sum so borrowed to be paid out of the proceeds of the Kentucky State Fair.

§ 4. The State Board of Agriculture shall not authorize, neither shall the chairman borrow money in excess of three-fourths of the revenue of the Kentucky State Fair for the previous year and the chairman will cause the money so borrowed to be used for the purpose set forth in the resolution of the State Board of Agriculture.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill its length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. O. Baxter	J. G. Campbell
A. L. Allen	T. H. Benton	Chas. B. Carver
S. E. Anderson	W. P. Bowman	Harry Cochran
W. B. Ardery	Thos. L. Britton	J. O. Creech
Walter J. Bailey	W. G. Buckner	C. B. Crossland
A. J. Baldridge	S. J. Bunger	J. R. Dorman

E. J. Doss	J. S. Hollan	L. C. Nell
W. M. Duncan	H. B. Holland	Andrew Nichols
Thos. J. Dunn	S. K. Holland	J. G. Prather
D. E. Edwards	Ira L. Horn	W. H. Pryor
J. W. Edwards	Robt. L. Horn	B. A. Robertson
J. O. Evans	Josephus Howard	C. W. Ryans
Virgil Eversole	W. F. Hunter	Charles Smith
W. J. Fisher	T. M. Johnson	Daniel Boone Smith
J. C. Flener	John C. Kemper	S. G. Smith
Chas. B. Fulton	John B. Klefot	Dan Stamper
J. B. Furlong	J. Porter Land	Frank L. Strange
F. A. Gnau	S. D. Laughlin	Mac Swinford
R. C. Graham	J. L. McKnight	E. G. Thomas
W. T. Green	Wm. McRohan	C. F. Thornton
E. L. Hagan	Luther Morse	P. H. Vincent
John G. B. Hall	C. C. May	J. C. Watkins
Brooks L. Hargrove	A. M. Mercer	J. A. White
Joseph M. Hayse	Harry J. Meyers	
J. R. Hobbs	E. B. Miller	

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Resolved that title thereof be as aforesaid.

Mr. Dorman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 25. An Act to change and fix the time for, the place and terms of Court in the 20th Judicial District.

Mr. Lewis moved that said bill lie on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 171. An Act relating to the management, operation and ratemaking for water works in cities of the first class and providing for the installation of water meters in private residences, apartment houses, and flats and for the prevention of consolidation, merger or sale of such water works in said cities.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whenever any city of the first class is the owner through its commissioners of the sinking fund of the shares of the capital stock in any corporation existing under the laws of this commonwealth engaged in supplying water to such city and inhabitants thereof, such city shall control, manage and operate the plant of such corporation including its franchise and all other property of every kind and description in the manner hereinafter provided.

Said board shall fix, make and collect no higher rates for use or sale of water than it may deem necessary, and all rates applied to private dwellings, apartment houses or flats shall be based on the number of rooms, toilets and basements of said private dwellings, apartment houses and flats; provided, however, that meters may be installed by mutual agreement between owners or tenants and the board of water works commissioners, to acquire funds sufficient to pay the interest coupons and to retire at maturity the principal of any bonds now outstanding or which may be hereafter issued against the said water corporation to pay at maturity all lawful debts and obligations existing against the said water works corporation at the time this Act shall take effect; to pay the debts and obligations including current expenses created by said

board of water works commissioners in the management and operation of said properties, and in the performance of its duties and to provide funds for future additions and extensions and improvements of said water works properties.

And provided further that there shall be no sale, merger or consolidation of said water works without a referendum vote of the people of the city wherein such water works are owned by the people of said cities of the first class.

And provided further that all surplus money shall be applied to the reduction of water rates or for extension or improvements of said water works in cities of the first class, and shall not be transferrable to any other department of said city.

All acts or parts of acts in conflict herewith are hereby repealed.

Mr. Gnau moved that the session of today be extended until the matter under consideration be disposed of.

Said motion was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. G. Buckner	J. R. Dorman
W. B. Ardery	S. J. Bungler	E. J. Doss
W. O. Bach	Chas. B. Carver	W. M. Duncan
Walter J. Bailey	Harry Cochran	Thos. J. Dunn
W. O. Baxter	C. B. Crossland	D. E. Edwards

J. W. Edwards	H. B. Holland	A. M. Mercer
J. O. Evans	S. K. Holland	Harry J. Meyers
W. J. Fisher	Robt. L. Horn	L. P. Murphy
Duke W. Fowler	Josephus Howard	Andrew Nichols
Chas. B. Fulton	Lester Jeter	J. G. Prather
J. B. Furlong	T. M. Johnson	B. A. Robertson
F. A. Gnau	John C. Kemper	Charles Smith
R. C. Graham	John B. Klefot	Mac Swinford
E. L. Hagan	J. Porter Land	C. F. Thornton
John G. B. Hall	S. D. Laughlin	P. H. Vincent
Brooks L. Hargrove	Leon P. Lewis	J. C. Watkins
C. W. Hawkins	Wm. McRohan	L. M. Weathers
J. R. Hobbs	C. C. May	
J. S. Hollan	Henry Meiman	

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Those who voted in the negative were—

A. L. Allen	T. W. Hardesty, Jr.	Levi W. Powell
S. E. Anderson	Joseph M. Hayse	W. H. Pryor
T. H. Benton	Phillip Helf	C. W. Ryans
W. P. Bowman	Ira L. Horn	Daniel Boone Smith
Thos. L. Britton	W. F. Hunter	S. G. Smith
J. G. Campbell	Wm. McClave	Dan Stamper
John Cooper	J. L. McKnight	J. B. Taylor
Virgil Eversole	J. L. Manning	E. G. Thomas
Chas. H. Fair	Luther Morse	J. A. White
J. C. Flener	James H. Muse	
W. T. Green	L. C. Nell	

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Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

An then the House stood adjourned.

TUESDAY, FEBRUARY 7, 1928.

The House was opened with prayer by the Reverend J. C. Pelgrim of the Northern Presbyterian Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Chas. B. Fulton	J. L. Manning
A. L. Allen	J. B. Furlong	Luther Morse
S. E. Anderson	F. A. Gnau	C. C. May
W. B. Ardery	R. C. Graham	Henry Meiman
Walter J. Bailey	W. T. Green	A. M. Mercer
A. J. Baldridge	E. L. Hagan	Harry J. Meyers
W. O. Baxter	A. L. Hall	E. B. Miller
T. H. Benton	John G. B. Hall	L. P. Murphy
W. P. Bowman	T. W. Hardesty, Jr.	James H. Muse
Thos. L. Britton	Herman Handmaker	L. C. Nell
W. G. Buckner	Brooks L. Hargrove	Andrew Nichols
S. J. Bungler	C. W. Hawkins	J. H. Payne
Sam P. Burnam	Joseph M. Hayse	Levi W. Powell
E. L. Campbell	Phillip Helf	J. G. Prather
J. G. Campbell	J. R. Hobbs	W. H. Pryor
Chas. B. Carver	J. S. Hollan	B. A. Robertson
Harry Cochran	H. B. Holland	C. W. Ryans
John Cooper	S. K. Holland	Charles Smith
J. O. Creech	Ira L. Horn	Daniel Boone Smith
C. B. Crossland	Robt. L. Horn	S. G. Smith
J. R. Dorman	Josephus Howard	M. E. Sparks
E. J. Doss	W. F. Hunter	Dan Stamper
W. M. Duncan	Lester Jeter	Frank L. Strange
Thos. J. Dunn	T. M. Johnson	J. G. Swearingen
D. E. Edwards	John C. Kemper	Mac Swinford
J. W. Edwards	John B. Klefot	J. B. Taylor
J. O. Evans	Porter J. Land	E. G. Thomas
Virgil Eversole	S. D. Laughlin	C. F. Thornton
Chas. H. Fair	Leon P. Lewis	P. H. Vincent
W. J. Fisher	Wm. McClave	J. C. Watkins
J. C. Flener	J. L. McKnight	L. M. Weathers
Duke W. Fowler	Wm. McRohan	J. A. White

Mr. Miller moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Upon a call of the Counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Payne:

H. B. 476. An Act designating the place of residence of the inmates of Orphans' Homes maintained and operated in this Commonwealth by corporations created under the provisions of Section 879 of the 1922 edition of Carroll's Kentucky Statutes, for the purpose of admitting them into publicly maintained schools, and providing for their enumeration by the census taker of pupils eligible to attend public schools and for the payment of the State's pro rata per capita of the State Public School fund arising from such enumeration.

To Committee on Education No. 1.

By Mr. Alcock:

H. B. 477. An Act making a road in Boyle County, Kentucky a part of the Primary System of Highways of the Commonwealth.

To Committee on Roads and Highways No. 2.

By same:

H. B. 478. An Act making a road in Boyle County, Kentucky, a part of the Primary System of Highways of the Commonwealth.

To Committee on Roads and Highways No. 2.

By Mr. Taylor:

H. B. 479. An Act to add to Primary System of Public Highways a road leading from Hawesville, Kentucky, in Hancock County, to line between Hancock and Breckinridge Counties near Roseville, Kentucky in Hancock County, thence through Ohio County to Hartford, Kentucky, in Ohio County.

To Committee on Roads and Highways No. 2.

By same:

H. B. 480. An Act to add to Primary System of Public Highways a road running from Patesville, Kentucky, in Hancock County, Kentucky, to Daviess County line via Pellville, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Allen:

H. B. 481. An Act relating to elections and the use of money, whiskey or other undue influence in securing votes, and making it a felony to give or receive a bribe in elections, and providing for the giving of evidence in connection with the use of such undue influence.

To Committee on Suffrage and Elections.

By same:

H. B. 482. An Act regulating the use, possession and carrying of pistols; providing for registration of the owner

of same and the payment of a license fee for the possession thereof; providing penalties for the failure to so register same and for carrying same without registration thereof; and making it a felony for any person, other than one now authorized by law, to carry on or about his person, concealed, a pistol; and providing for the execution of a bond in connection therewith, in the discretion of the trial judge.

To Committee on Criminal Law.

By Mr. Pryor:

H. B. 483. An Act to amend Chapter 17, Acts of 1920, relating to roads and bridges.

To Committee on Roads and Highways No. 2.

By same:

H. B. 484. An Act to amend Chapter 17 of the Acts of 1920 relating to roads and bridges.

To Committee on Roads and Highways No. 2.

By Mr. Baldridge:

H. B. 485. An Act to amend Section 2 of Chapter 173 by striking out the word twelve cents and adding the word fifteen cents.

To Committee on County and City Courts.

By Mr. Dunn:

H. B. 486. An Act requiring all pharmacies and drug-stores to be owned by registered pharmacist, and exempting

from its provisions all persons, firms or corporations now engaged in said business, and providing for registration of pharmacies and drugstores and providing penalties for its violation.

To Committee on Kentucky Statutes.

By Mr. Meiman:

H. B. 487. An Act repealing Chapter 172, Acts of 1926, which relates to the Fiscal Administration by the County Board of Education of the Common Schools in each of the counties of the Commonwealth, provides for a uniform budget system for the Administration of the Fiscal affairs of the common schools in each of the counties of the Commonwealth and prescribes the duties of the County Superintendent, the County Treasurer, the County Court Clerk, the County Tax Commissioner, the County Attorney and other officers with reference thereto.

To Committee on Education No. 2.

By same:

H. B. 488. An Act to amend Section 3142b-4 of Kentucky Statutes, Carroll's 1922 Edition, relating to taxation, gifts, investment of fund.

To Committee on Cities of 2nd and 3rd Class.

By Mr. Howard:

H. B. 489. An Act to repeal and re-enact Section 3, Chapter 52, Acts of 1924, relating to the powers of the County Board of Education.

To Committee on Education No. 1.

By same:

H. B. 490. An Act to establish and to provide for the organization and maintenance of a State Teachers' Retirement System and appropriating money therefor.

To Committee on Education No. 1.

By Mr. Jeter:

H. B. 491. An Act relating to revenue and taxation and prescribing the duties of County Clerks in relation to consideration in deeds or other forms of conveyance.

To Committee on Revenue and Taxation No. 2.

By Mr. Buckner:

H. B. 492. An Act establishing and making a road from Lebanon, Kentucky, to Project No. 3 at New Haven, Kentucky, by way of St. Marys and Howardstown, as part of the Primary System of State Highways, and designating said project as Project No. 3 A-N.

To Committee on Roads and Highways No. 3.

By Mr. Anderson:

H. B. 493. An Act repealing Sections 201c-1 to 201c-13, inclusive, Kentucky Statutes, Carroll's 1922 Edition, being Chapter 1 of the Acts of the General Assembly of 1916.

To Committee on Railroads.

By Mr. White:

H. B. 494. An Act establishing a road project beginning at a point in the Tompkinsville-Beaumont road Project at or

near Mount Gilead Church, Monroe County, via Sulphur Lick to Temple Hill, Barren County.

To Committee on Roads and Highways No. 3.

By Mr. White:

H. B. 495. An Act establishing State Primary Road Project No. — from Edmonton, Metcalfe County, via Sun, Johnson's Store, Cofer to Breeding, Adair County.

To Committee on Roads and Highways No. 3.

By Mr. White:

H. B. 496. An Act prescribing procedure whereby adjacent school districts in any county may be combined; also designating procedure and means whereby County, City and Graded common school district boards of Education may transfer students of any grade from one school district to a public school in another district without changing district boundaries.

To Committee on Education No. 1.

By Mr. Doss:

H. B. 497. An Act requiring all public officials of the county, municipalities, public subdivisions and graded school districts less than a county, whose duty it is to receive or have the custody of public funds of such county, municipality, political subdivision or graded school district less than a county to make annual report to the fiscal court; when said reports are approved, the fiscal court shall certify them to the County Clerk for record; to publish a condensed statement of such funds received and disbursed by him during the fiscal year;

and providing further that this Act shall not affect counties having therein a city of the first class, and prescribing penalties for violation thereof.

To Committee on Education No. 2.

By Mr. Weathers.

H. B. 498. An Act to repeal Chapter 67 of the Acts of 1918, being Sections 1893c-1 to 1893c-15 inclusive, of Carroll's Kentucky Statutes, 1922 Edition.

To Committee on Fish and Game.

By Mr. Hawkins:

H. B. 499. An Act relating to revenue and taxation; providing a license or excise tax on the business or occupation of manufacturing distilled spirits; known as whiskey or brandy, or other species of such double stamp spirits in this State, and or the business or occupation of a warehouseman storing such distilled spirits; providing for the distribution of said fund; providing penalties for the violation of its provisions; repealing Chapter 166 of the Acts of the General Assembly of 1926, enacting in lieu thereof the following act and declaring an emergency to exist.

To Committee on Revenue and Taxation No. 1.

By Mr. Hall:

H. B. 500. An Act amending Chapter 146 of the 1920 Acts, entitled "An Act relating to free public libraries in cities and towns of the third, fourth, fifth, and sixth classes of this Commonwealth," approved March —, 1920; the same now being Subdivision 4 of Article 1a of Chapter 89 of Car-

roll's Kentucky Statutes, sixth edition, 1922; by adding thereto certain sections providing that certain libraries of the white race, or of the negro race, in such cities or towns which have no free public library, shall be regarded as free public libraries the same as those provided for in said Subdivision 4, and given certain rights and powers granted therein; authorizing support by taxation, division of fines, forfeitures and costs in Police Courts, and by fees and dues from certain members, etc.

To Committee on Cities of the Fourth Class.

By Mr. Swinford:

H. B. 501. An Act creating the office of Reviser of Statutes, providing for his appointment and term of office, defining his duties, fixing his qualifications, providing for assistants and clerical help and providing for office furniture, stationery and postage.

To Committee on Judiciary.

By Mr. Green:

H. B. 502. An Act repealing, amending and re-enacting Section 4426b-1 of Kentucky Statutes, Chapter 12, of Kentucky school laws providing for the election of sub-district trustees in rural school districts.

To Committee on Education No. 2.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. H. B. Holland of the Committee on Agriculture:

H. B. 312. An Act providing for the quarantine and control of the European Corn Borer; imposing certain powers and duties on the Department of Agriculture; providing penalties.

H. B. 417. An Act requiring non-resident sellers of fruit trees, vines, shrubs or plants to execute bond as to type of same and their freedom from certain diseases, etc.

H. B. 380. An Act entitled An Act that has as its purpose the protection of road and farm machinery, tools and implements that are left in fields or on the side of the highway; and providing penalties for the violation thereof.

H. B. 207. An Act to amend Section 3 of Chapter 4 of the Acts of 1892, approved April 2, 1892, said section being Section 33 of Kentucky Statutes (Carroll's 1915 Edition) further defining the duties of the Commissioner of Agriculture, Labor and Statistics.

H. B. 317. An Act to amend Section 1246, Subsection 1, Kentucky Statutes, Carroll's Edition, relating to sale of animals, etc.

By Mr. Ganu of the Committee on Cities of the 1st Class:

H. B. 409. An Act to amend and re-enact Section 2906 Kentucky Statutes (Carroll's 1922 Edition), relating to the office of assessor in cities of the first class and his deputies and assistants and providing that from and after the expiration of the term of office of the present city assessor in same cities the city assessor shall cease to be elected by the city council, etc.

H. B. 402. An Act to amend, revise and re-enact Paragraph 2a of Section 67 and Sections 136 and 160 of an Act re-

lating to and amending the charter of cities of the first class, the short title of which is City Government Bill, Cities of the First Class, approved March 22, 1926, and being Chapter 115 of the Acts of the General Assembly for 1926.

By Mr. Bunger of the Committee on Constitutional Amendments:

H. B. 152. An Act providing for the taking of the sense of the people of the State as to the necessity and expediency of calling a convention for the purpose of revising or amending the constitution of the Commonwealth, and such amendments as may have been made to same as provided by Section 258 of the present constitution of Kentucky.

Without an expression of opinion as to the last named above bill.

By Mr. Furlong of the Committee on County and City Courts:

H. B. 212. An Act relating to the fiscal administration of counties; providing for a uniform budget system in each county of the Commonwealth of Kentucky, for the administration of the fiscal affairs of counties; prescribing the duties of the county judge, county court clerk, county treasurer, county attorney, and other officers with reference thereto; creating a county budget commission, and prescribing its duties; amending Sections 929, 934 of Kentucky Statutes, 1915, Carroll's Edition, as amended by Sections 929 and 934 of Chapter 153 of Acts of 1920, Session of the General Assembly of the Commonwealth of Kentucky, etc.

H. B. 365. An Act defining and prescribing the jurisdiction of justices and quarterly courts and of judges of police courts in cities of the 1st, 2nd, 3rd, and 4th Class in this Commonwealth in penal and misdemeanor cases.

H. B. 263. An Act to amend and to re-enact Section 1763, Kentucky Statutes, Carroll's Edition, 1915.

H. B. 400. An Act to amend and re-enact Chapter 95, Carroll's Kentucky Statutes, Sixth Edition, 1922,

Without an expression of opinion as to the last two above named bills.

By Mr. Prather of the Committee on Education No. 1:

H. B. 248. An Act relating to Education in this Commonwealth; appropriating money from the general fund of the Treasury of the Commonwealth to be used for educational purposes in connection with the public school system of this Commonwealth and conferring authority and power upon the State Board of Education upon the recommendation of the Superintendent of Public Instruction to supervise and administer the expenditure of the money appropriated; defining the purposes for which the money so appropriated shall be used, and providing conditions upon which it shall be received, conferring upon the State Board of Education upon the recommendation of the Superintendent of Public Instruction the power and authority to prescribe rules and regulations for the administration and the use and expenditure of the money so appropriated; and generally to provide for a better system of public schools in this Commonwealth.

By Mr. Meiman of the Committee on Insurance, Fire and Marine:

H. B. 34. An Act to provide for and to authorize the refund and repayment of motor vehicle license fees, when such motor vehicle has been burned, junked, stolen or otherwise made useless to the owner thereof, or sold out of the State.

With an Amendment thereto.

By Mr. Payne of the Committee on Roads and Highways
No. 1:

S. B. 43. An Act exempting persons from road duty in any one year by paying to the county road funds the sum of ten dollars.

H. B. 388. An Act authorizing the State Highway Commission to employ convict labor in construction and maintaining roads and bridges and in working in quarries, preparing material, roads and bridges, to open, equip and operate stone quarries; to arrange for transporting road materials by river and land; for constructing barricades for safe-keeping of prisoners, and housing quarters for same, etc.

Without an expression of opinion as to the last named above bill.

With the expression of opinion that said bills ought to pass, with the exceptions above indicated.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Howard of the Committee on Public Health, to which the same had been previously referred, reported a bill entitled:

H. B. 293. An Act to create a Board of Chiropractic Examiners and to regulate the practice of chiropractic and to provide penalties for violation of this Act and to prohibit the practice of any other mode or system under the name of chiropractic.

With the expression of opinion that said bill ought to pass.

Mr. White moved that said bill be re-committed to the Committee on Public Health.

Said motion was agreed to.

Mr. Gnau of the Committee on Cities of the 1st class, to which the same had been previously referred, reported a bill entitled:

H. B. 45. An Act to create hospital boards in cities of the 1st class, to define their duties and powers, and provide for their support by taxation; authorizing the issuance of bonds for their benefit; and enabling counties containing cities of the 1st class to levy a tax to defray the counties' expenses for the use of the facilities provided by such boards.

With the expression of opinion that said bill ought not to pass.

Mr. Ryans moved that said bill be read at length the first time, the report of the committee to the contrary notwithstanding.

Said motion was disagreed to.

And so said bill was rejected.

Mr. Howard of the Committee on Public Health, to which the same had been previously referred, reported a bill entitled:

H. B. 59. An Act in relation to the practice of barbering, requiring the registration of barbers and apprentices, defining the practice of barbering, of barbers and apprentices, setting out the exemptions to this Act, setting up the qualifications for certificates of registration as registered barbers and

apprentices, establishing a minimum standard of professional education for barbers, providing for examinations to be allowed to practice barbering, etc.

With the expression of opinion that said bill ought not to pass.

Mr. Furlong of the Committee on County and City Courts, to which the same had been previously referred, reported a bill entitled:

H. B. 192. An Act to repeal, amend and re-enact Section 4356b of the Kentucky Statutes, Carroll's Edition, 1922, regulating the power and authority of fiscal courts requiring male citizens to work on county roads.

With the expression of opinion that said bill ought not to pass.

No motion having been made to advance said bills to a reading, the report of the Committees to the contrary notwithstanding, and no further action having been taken by the House thereon, it was ordered that said bills be rejected.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 406. An Act repealing Sections 1486 to 1506 inclusive, of Kentucky Statutes, Carroll's Edition, relating to registration in certain cities and towns, including cities of the 4th class, and enacting in lieu thereof an Act providing for registration for elections in cities of the 4th class, including those having population of less than five thousand.

S. B. 86. An Act creating the Kentucky Geological Survey, designating its executive officer and his duties, and providing funds for its maintenance.

H. B. 318. An Act to amend Section 4237a-1 relating to insurance.

H. B. 106. An Act to amend and re-enact Section 2097 Kentucky Statutes, Carroll's 1915 Edition, relating to marriages which are prohibited and declared void.

H. B. 116. An Act to amend and re-enact Section 2105 Kentucky Statutes, being Chapter 205, Article 1, Section 10, of Acts of 1895, relating to marriage.

H. B. 230. An Act authorizing official stenographic court reporters for all circuit courts in this Commonwealth to take depositions in shorthand, and compel the attendance of witnesses and to administer oaths in any county in this Commonwealth.

H. B. 208. An Act to amend Section 582 of Carroll's Kentucky Statutes, by striking therefrom the word "five" before the word "years" and inserting in lieu thereof the word "ten."

H. B. 206. An Act to amend Section 861 of the Kentucky Statutes relating to the power of Building Associations to borrow.

With an Amendment thereto.

S. B. 89. An Act to appropriate the sum of One Hundred Eighty-four Thousand, One Hundred Forty-five (\$184,145.66) Dollars and Sixty-six cents for the use and benefit of the Kentucky State Industrial College for Colored Persons for the training of Teachers and Industrial Leaders.

H. B. 255. An Act to require all owners and lessees of all ferries operated on any stream in this Commonwealth, where roads and public highways, other than those embraced

in the State Primary System, by being actually surveyed and contracts let for the building of same, and State maintained highways, cross, to grade, hard surface and maintain such roads from low-water mark to high-water mark on the banks of such streams, repealing all laws in conflict with this Act, and providing penalties for its violation.

S. B. 8. An Act enabling cities of the 1st class to construct, operate and maintain bridges across navigable streams so as to connect such cities with an adjoining state; providing for a commission in such cities of the first class to construct, operate, control and maintain such bridges, and duties of such commission, and providing for the issuance of revenue bonds of such cities to pay the cost thereof, payable solely through bridge tolls without the incurrence of indebtedness of any such city.

H. B. 77. An Act to repeal and re-enact Section 2380, subsection 46, Kentucky Statutes, Carroll's Edition 1922, relating to employment of attorneys by drainage commissioners.

H. B. 384. An Act to create a State Commission to be known as the Kentucky National Park Commission, prescribing the number of the members thereof, the Governor being ex-officio member, and the payment of their expenses; providing for a director and assistants, and for their salaries; providing the Commission with the power to condemn lands for national park purposes as provided by law in the condemnation of lands for steam railroads, and designating the duties of the Attorney General, Commonwealth Attorney, and County Attorney; investing the Commission with the power to purchase and acquire real estate and other kinds of property for national park purposes, and to hold, barter, sell and convey same for such purposes; providing for an appropriation not to exceed the sum of Thirty Thousand (\$30,000) Dol-

lars to be used for the purpose of carrying into effect the provisions of this Act; providing for the manner in which the expenses of the Commissioners, the salary of the Director and of his assistants, shall be paid; providing for the payment of expenses of condemnation proceedings and such other expenses necessary to convey to the United States Government for National Park purposes the property acquired under this Act; to empower the Commission to make, adopt and enforce rules and regulations necessary to carry out the purposes of this Act; and declaring an emergency to exist.

H. B. 17. An Act providing for the election of County Superintendent by popular vote.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 68. An Act to appropriate \$5,000.00 a year for each of the fiscal years 1928-29 and 1929-30 to the Kentucky State Fair for the purpose of meeting premium expenses of the said State Fair in promoting livestock contests for boys' and girls' club work and adult feeders in this Commonwealth, and providing for the apportionment of eighty (80%) per cent, or more, of said appropriation to boys' and girls' club work and twenty (20%) per cent or less of said appropriation to adult feeders, and providing for reports to the Auditor.

2. S. B. 230. An Act to provide for the establishment and maintenance in counties which contain a city of the 1st class of a hospital for the treatment of persons afflicted with tuberculosis.

3. S. B. 97. An Act to repeal and re-enact Section 75 of Carroll's Criminal Code of Practice, 1927, the same being Chapter 44 of the 1924 Acts of the General Assembly of Kentucky.

4. S. B. 76. An Act to amend and re-enact Sections 3, 4 and 8 of an Act entitled "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 of an Act entitled 'An Act to amend an Act for the government of cities of the first class approved July 1, 1893, for the better government, administration and discipline of the Fire Department and to create and perpetuate a pension fund for disabled firemen, their widows and children and dependent fathers and mothers and to create and perpetuate a Board of Trustees for the management and conduct thereof and to pension members thereof after a service of a term of years,' approved March 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning under certain conditions firemen and the families of firemen deceased, in cities of the first class," approved March 18, 1912, said Act, when so amended and re-enacted, to provide more adequately for firemen and their dependents and provide money therefor. Said sections, hereinabove amended are known as Sections 2896a17 and 2896a-18 and 2896a-22, Carroll's Kentucky Statutes 1922.

Ordered that said bills be printed and referred as follows, viz.:

1. To Committee on State Fair.
2. To Committee on Cities of the 1st Class.

3. To Committee on Codes of Practice.
4. To Committee on Cities of the 1st Class.

Mr. Gnau moved that the vote by which a bill entitled:

H. B. 45 (for title see House Journal of today, ante),

Was refused a reading, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Fowler moved that the Rules be suspended and that the House take up for consideration from the Orders of the Day a bill entitled:

S. B. 82. An Act to assist disabled ex-service men and women of the World War in obtaining from the Federal Government the relief authorized by Congress, continuing in existence for that purpose the Kentucky Disabled Ex-Service Men's Board, and appropriating funds therefor; providing maintenance of an office and stenographic help to carry on work of said board, and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Kentucky Disabled Ex-Service Men's Board created by act approved February 27, 1922, and recreated by acts of General Assembly approved March 21, 1924, and February 24, 1926, be continued in existence for an additional period of two (2) years for the purpose of assisting disabled ex-service men and women of the World War, who are residents of Kentucky, and who are or may be en-

titled to aid from the United States government pursuant to federal legislation for the benefit of disabled veterans, in preparing and presenting their said claims to the proper federal agencies and authorities and in securing and expediting action thereon; to relieve and prevent congestion in the proper consideration, rating and final adjudication of said claims and to as far as possible, cause every disabled veteran to receive promptly and regularly the maximum relief and benefit to which he is entitled under the federal law.

§ 2. Said Kentucky Disabled Ex-Service Men's Board shall during the time for which its existence is extended by section 1 of this act, be composed of three (3) members: one of whom shall be the Lieutenant Governor of Kentucky, another of whom shall be the State Commander of the American Legion, Department of Kentucky, and the third shall be elected annually by these two members. The members of the board shall serve without salary or compensation, but they shall be paid their actual and necessary traveling expenses while in the discharge of their official duties.

§ 3. The words, "veterans" and "ex-service men and women," as used in this act, include any individual who served on active duty in the army, navy or marine corps of the United States between the dates of April 6, 1917 and July 2, 1921, inclusive, and who has received an honorable discharge from such service.

§ 4. The board shall elect a secretary whose duties shall be to prepare in proper form, present and prosecute claims of disabled ex-service men and women with the U. S. Veterans' Bureau and to secure and expedite action on said claims; to keep in contact with the U. S. Veterans' Bureau, so that the status of any claims may be known at any time; to make a survey of the state to make certain that no disabled man is neglected, and to perform such other duties as the board may direct. The secretary shall be paid a salary fixed by the board and he shall be paid his actual and necessary traveling expenses while engaged in the performance of his duties.

§ 5. For the purpose of carrying out the provisions of this act, there is hereby appropriated out of state funds, not otherwise appropriated, to the Kentucky Disabled Ex-Service Men's Board, the sum of twenty thousand (\$20,000.00) dollars per year for two (2) years. The board shall keep an accurate and detailed account of all receipts and disbursements and its books shall be subject to examination and audit by the State Inspector and Examiner. Any part of the fund unused at the expiration of the period for which the board is created shall be turned back to the general state fund.

§ 6. The Kentucky Disabled Ex-Service Men's Board shall have the power to expend such reasonable sums as may be necessary to employ clerical, stenographic and other assistants for the secretary of the Board, who shall be paid their actual and necessary traveling expenses while engaged in the performance of their duties, and to establish and maintain offices. Such offices shall be maintained near or in conjunction with the offices of the State headquarters of the American Legion, Department of Kentucky.

§ 7. The Kentucky Disabled Ex-Service Men's Board shall cease to exist on July 1, 1930.

§ 8. All laws and parts of laws inconsistent herewith are hereby repealed.

§ 9. There being many hundreds of disabled ex-service men who have not received the benefits of federal legislation to which they are entitled because of lack of knowledge of the federal law as amended and the U. S. Veterans' Bureau regulations and procedure, and other remedial causes, and it being considered that if this board ceases to function, the disabled ex-service men will not receive the information, assistance and benefits to which they are entitled, an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval as required by law.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays beng taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. C. Flener	J. L. Manning
A. L. Allen	Duke W. Fowler	Luther Morse
S. E. Anderson	Chas. B. Fulton	C. C. May
W. B. Ardery	J. B. Furlong	Henry Meiman
W. O. Bach	F. A. Gnau	A. M. Mercer
Walter J. Bailey	R. C. Graham	Harry J. Meyers
A. J. Baldrige	W. T. Green	E. B. Miller
W. O. Baxter	E. L. Hagan	James H. Muse
T. H. Benton	A. L. Hall	L. C. Nell
W. P. Bowman	John G. B. Hall	Andrew Nichols
Thos. L. Britton	T. W. Hardesty, Jr.	J. H. Payne
W. G. Buckner	Herman Handmaker	J. G. Prather
S. J. Bungler	Brooks L. Hargrove	W. H. Pryor
E. L. Campbell	C. W. Hawkins	B. A. Robertson
J. G. Campbell	Phillip Helf	C. W. Ryans
Chas. B. Carver	J. R. Hobbs	Charles Smith
Harry Cochran	H. B. Holland	Daniel Boone Smith
John Cooper	Ira L. Horn	S. G. Smith
J. O. Creech	Josephus Howard	Dan Stamper
C. B. Crossland	W. F. Hunter	Frank L. Strange
J. R. Dorman	Lester Jeter	J. G. Swearingen
E. J. Doss	John C. Kemper	Mac Swinford
W. M. Duncan	John B. Klefot	J. B. Taylor
Thos. J. Dunn	S. D. Laughlin	E. G. Thomas
J. W. Edwards	Leon P. Lewis	C. F. Thornton
J. O. Evans	Wm. McClave	P. H. Vincent
Virgil Eversole	J. L. McKnight	J. C. Watkins
Chas. H. Fair	Wm. McRohan	L. M. Weathers
W. J. Fisher	Clark Macdonald	J. A. White

Resolved that the title thereof be as aforesaid.

Mr. Fowler moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 33. An Act creating the office of Purchasing Agent in counties containing cities of the first class, defining his duties and fixing his salary.

Mr. Ryans moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 36. An Act to amend and re-enact subsection g of Section 2 of Chapter 109 of the Acts of the General Assembly of 1926 pertaining to motor vehicles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Non-residents—Reciprocity. A non-resident owner who has complied with the laws of the State, province or district of his residence relating to registration of automobiles or motor vehicles, and who displays the requisite plates and holds the requisite receipt or certificate of registration as required by his resident state, province or district, if such state, province or district does not require registration of non-resi-

dent owners temporarily therein, shall be exempt from registration in this State for the same period of time as is granted to non-resident owners of his state, province or district by the laws and regulations thereof. Provided that non-residents shall observe and obey all traffic regulations of this State, and provided further, that registration in any other state, province or district shall not in any wise relieve any owner, resident in this State from the penalties hereinafter provided for violations of this Act.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. O. Creech	E. L. Hagan
A. L. Allen	C. B. Crossland	A. L. Hall
S. E. Anderson	E. J. Doss	John G. B. Hall
W. B. Ardery	W. M. Duncan	T. W. Hardesty, Jr.
Walter J. Bailey	Thos. J. Dunn	Herman Handmaker
A. J. Baldrige	D. E. Edwards	Brooks L. Hargrove
W. O. Baxter	J. W. Edwards	J. R. Hobbs
T. H. Benton	J. O. Evans	J. S. Hollan
W. P. Bowman	Virgil Eversole	H. B. Holland
Thos. L. Britton	Chas. H. Fair	Ira L. Horn
W. G. Buckner	W. J. Fisher	Robt. L. Horn
S. J. Bungler	Duke W. Fowler	Josephus Howard
E. L. Campbell	Chas. B. Fulton	W. F. Hunter
J. G. Campbell	J. B. Furlong	Lester Jeter
Chas. B. Carver	F. A. Gnau	John C. Kemper
Harry Cochran	R. C. Graham	John B. Klefot
John Cooper	W. T. Green	Porter J. Land

S. D. Laughlin	James H. Muse	S. G. Smith
Leon P. Lewis	L. C. Nell	Dan Stamper
Wm. McClave	Andrew Nichols	J. G. Swearingen
J. L. McKnight	J. H. Payne	Mac Swinford
Wm. McRohan	Levi W. Powell	J. B. Taylor
Clark Macdonald	J. G. Prather	E. G. Thomas
J. L. Manning	W. H. Pryor	C. F. Thornton
Luther Morse	B. A. Robertson	P. H. Vincent
C. C. May	C. W. Ryans	J. C. Watkins
A. M. Mercer	Charles Smith	L. M. Weathers
E. B. Miller	Daniel Boone Smith	J. A. White

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Resolved that the title thereof be as aforesaid.

Mr. Fowler moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 191. An Act to amend and re-enact Section 73 of Carroll's Civil Code of Practice by providing that if the action be brought by personal representative the residence of the decedents and that of the personal representatives shall control.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 73 of Carroll's Civil Code of Practice be, and the same hereby is, amended by adding to said section, as it now appears, the following words, to-wit:

“Provided, if the action be brought by a personal representative, the residence of the decedent, and not that of the personal representative shall control.”

So that said section, as amended, shall read as follows, to-wit:

“Excepting the actions mentioned in Section 75, an action against a common carrier, whether a corporation or not, upon a contract to carry property, must be brought in the county in which the defendant, or either of several defendants, resides; or in which the contract is made; or in which the carrier agrees to deliver the property. An action against such carrier for an injury to a passenger, or to other person or his property, must be brought in the county in which the defendant, or either of several defendants, resides; or in which the plaintiff or his property is injured; or in which he resides; if he resides in a county into which the carrier passes: Provided, if the action be brought by a personal representative, the residence of the decedent, and not that of the personal representative shall control.”

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. P. Bowman	Harry Cochran
S. E. Anderson	Thos. L. Britton	John Cooper
W. B. Ardery	W. G. Buckner	J. O. Creech
W. O. Bach	S. J. Bunger	C. B. Crossland
Walter J. Bailey	E. L. Campbell	J. R. Dorman
W. O. Baxter	J. G. Campbell	E. J. Doss
T. H. Benton	Chas. B. Carver	W. M. Duncan

Thos. J. Dunn	H. B. Holland	J. H. Payne
D. E. Edwards	Robt. L. Horn	Levi W. Powell
J. W. Edwards	Josephus Howard	J. G. Prather
Chas. H. Fair	W. F. Hunter	B. A. Robertson
W. J. Fisher	T. M. Johnson	W. H. Pryor
J. C. Flener	John C. Kemper	C. W. Ryans
Duke W. Fowler	Porter J. Land	Charles Smith
Chas. B. Fulton	S. D. Laughlin	Daniel Boone Smith
J. B. Furlong	Leon P. Lewis	S. G. Smith
F. A. Gnau	Wm. McClave	Dan Stamper
E. L. Hagan	J. L. McKnight	Frank L. Strange
A. L. Hall	Wm. McRohan	J. G. Swearingen
John G. B. Hall	Clark Macdonald	Mac Swinford
T. W. Hardesty, Jr.	J. L. Manning	J. B. Taylor
Herman Handmaker	Luther Morse	E. G. Thomas
Brooks L. Hargrove	Henry Meiman	C. F. Thornton
C. W. Hawkins	A. M. Mercer	P. H. Vincent
Joseph M. Hayse	Harry J. Meyers	J. C. Watkins
Phillip Helf	E. B. Miller	L. M. Weathers
J. R. Hobbs	James H. Muse	
J. S. Hollan	Andrew Nichols	

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Those who voted in the negative were—

A. J. Baldridge	W. T. Green	L. C. Nell
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Resolved that the title thereof be as aforesaid.

Mr. Hawkins moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a Resolution entitled:

H. Res. 1. Resolution extending the benefits of House Resolution No. 5, Chapter 365, page 1039, Acts of General

Assembly of 1926, being a resolution for the benefit of D. Owen Robinson.

Said resolution is as follows, viz.:

Whereas, the General Assembly of 1926 by House Resolution No. 5 now Chapter 365, page 1039, Acts of General Assembly of said year, directed the payment of the sum of fifty (\$50.00) per month to D. Owen Robinson, on account of a disability received by him while employed by the Commonwealth of Kentucky, and while in the faithful performance of duties, incapacitating him from other or further labor thereafter; and, whereas, the said D. Owen Robinson, died on the 14th day of November 1926, leaving his widow, Edmonia Robinson, age 71, without property of any kind, and without means of support, or ability to earn same.

Be it therefore resolved by the General Assembly of Kentucky:

That the sum heretofore allowed to her husband, now deceased, by the foregoing resolution, be allowed to her during her natural lifetime, and the Auditor of the Commonwealth is directed to draw his warrant for the sum of fifty Dollars, (\$50.00) on the first of each and every month after the passage of this resolution, payable to the said Edmonia Robinson, and to so continue during her natural lifetime.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Duke W. Fowler	Luther Morse
A. L. Allen	Chas. B. Fulton	C. C. May
S. E. Anderson	J. B. Furlong	Henry Meiman
W. B. Ardery	F. A. Gnau	A. M. Mercer
W. O. Bach	R. C. Graham	Harry J. Meyers
Walter J. Bailey	W. T. Green	E. B. Miller
A. J. Baldrige	E. L. Hagan	James H. Muse
W. O. Baxter	T. W. Hardesty, Jr.	L. C. Nell
T. H. Benton	Herman Handmaker	Andrew Nichols
W. P. Bowman	Brooks L. Hargrove	J. H. Payne
Thos. L. Britton	C. W. Hawkins	Levi W. Powell
S. J. Bunger	Joseph M. Hayse	J. G. Prather
E. L. Campbell	Phillip Helf	W. H. Pryor
J. G. Campbell	J. R. Hobbs	C. W. Ryans
Chas. B. Carver	J. S. Hollan	Charles Smith
Harry Cochran	H. B. Holland	Daniel Boone Smith
John Cooper	W. F. Hunter	S. G. Smith
J. O. Creech	Lester Jeter	Frank L. Strange
C. B. Crossland	T. M. Johnson	J. G. Swearingen
E. J. Doss	John C. Kemper	Mac Swinford
W. M. Duncan	John B. Klefot	J. B. Taylor
Thos. J. Dunn	S. D. Laughlin	E. G. Thomas
J. W. Edwards	Leon P. Lewis	C. F. Thornton
J. O. Evans	Wm. McClave	J. C. Watkins
Virgil Eversole	J. L. McKnight	L. M. Weathers
Chas. H. Fair	Wm. McRohan	J. A. White
W. J. Fisher	Clark Macdonald	
J. C. Flener	J. L. Manning	

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Resolved that the title thereof be as aforesaid.

Mr. Graham moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Said motion was agreed to.

Mr. Jeter moved that the session of today be extended indefinitely.

Said motion was agreed to.

At the hour of twelve o'clock Meridian, Mr. Jeter moved that the House do now recess for one hour.

Said motion was agreed to.

The hour of one o'clock having arrived, the Speaker resumed the Chair and called the House to order.

Mr. Cooper moved that Hon. R. C. Tarter a former member of this House be extended the privileges of the floor.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 297. An Act concerning the duties of the County Clerk in counties containing cities of the first class in making out tax bills and certifying same to Sheriff for collection.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in addition to the duties now imposed upon the Clerk of each County Court by Section 4239-a to 4238-1, both inclusive, Kentucky Statutes, the County Clerk of each county containing a city of first class, shall at the time of making out the said tax bills for certification to Sheriff for collection, cause to be inserted in front of every name appear-

ing on the Assessment books of the County Tax Commissioner of such county, the bill number of the tax bill certified to the Sheriff.

§ 2. Whereas, the tax bills are now being certified and therefore an emergency is declared to exist and this Act shall take effect from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	E. J. Doss	Brooks L. Hargrove
S. E. Anderson	W. M. Duncan	C. W. Hawkins
W. B. Ardery	Thos. J. Dunn	Phillip Helf
W. O. Bach	D. E. Edwards	J. R. Hobbs
Walter J. Bailey	J. W. Edwards	J. S. Hollan
A. J. Baldridge	J. O. Evans	S. K. Holland
W. O. Baxter	Virgil Eversole	Ira L. Horn
T. H. Benton	Chas. H. Fair	Robt. L. Horn
W. P. Bowman	W. J. Fisher	Josephus Howard
Thos. L. Britton	Duke W. Fowler	W. F. Hunter
W. G. Buckner	Chas. B. Fulton	Lester Jeter
S. J. Bunger	J. B. Furlong	T. M. Johnson
E. L. Campbell	F. A. Gnau	John C. Kemper
J. G. Campbell	R. C. Graham	John B. Klefot
Chas. B. Carver	W. T. Green	Porter J. Land
Harry Cochran	E. L. Hagan	S. D. Laughlin
John Cooper	A. L. Hall	Leon P. Lewis
J. O. Creech	John G. B. Hall	Wm. McClave
C. B. Crossland	Herman Handmaker	J. L. McKnight

Wm. McRohan	James H. Muse	Dan Stamper
Clark Macdonald	L. C. Nell	Frank L. Strange
J. L. Manning	Andrew Nichols	J. G. Swearingen
Luther Morse	J. H. Payne	Mac Swinford
C. C. May	Levi W. Powell	J. B. Taylor
Henry Meiman	J. G. Prather	E. G. Thomas
A. M. Mercer	W. H. Pryor	C. F. Thornton
Harry J. Meyers	B. A. Robertson	P. H. Vincent
E. B. Miller	Charles Smith	J. C. Watkins
L. P. Murphy	S. G. Smith	L. M. Weathers

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Resolved that the title thereof be as aforesaid.

Mr. Lewis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 235. An Act to enable cities of the first class at any time or times and as often as the Mayor and legislative body of such city shall deem for its best interest to project, construct and establish a system or systems of sewers or successive systems of sewers for the disposition of sewage of such city and to project, construct, and establish such system or systems with a view to either or both the then needs of such city or in anticipation of the future needs of such city.

Mr. Ryans moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 140. An Act amending and re-enacting Section 13 of an Act entitled "An Act defining boundaries for school districts embracing cities of the 4th class, and providing systems of schools in such districts and creating board of education for such districts, providing for election thereof, defining their powers and duties and repealing all laws in conflict therewith," approved March 13, 1920, and is now Section 3587a-13, Carroll's 1922 edition of the Kentucky Statutes.

Mr. Edwards moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 266. An Act empowering and authorizing cities of the 4th class to receive or purchase lands for parks and playgrounds.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all cities of the fourth class in the Commonwealth of Kentucky shall have power and authority to purchase lands or property for the purpose of maintaining public parks or playgrounds within the city limits of said cities, or to receive donations of lands or property within the city limits for public parks and playground purposes.

§ 2. Said cities of the fourth class are hereby authorized and empowered to levy taxes not exceeding five cents on each one hundred dollars on all taxable property within the corporate limits of said city, to purchase and maintain public parks or playgrounds within the limits of said cities of the fourth class.

§ 3. Be it further enacted that the city council or other governing bodies of said cities of the fourth class be and they are hereby authorized to appoint a park board of not more than five (5) persons, whose qualifications shall be such as may be prescribed by council, and whose term of office shall be for two (2) years and until their successors are appointed and qualified, except that the members first appointed upon the taking effect of this act shall be appointed as follows: Three members for one (1) year, and two members for (2) years, and thereafter whenever a vacancy occurs. The members of said park board shall not receive any salary for their services.

§ 4. The persons so appointed as members of said park board shall each within ten (10) days after their appointment appear before the city clerk and make and subscribe to an oath that he will faithfully, diligently and to the best of his ability perform all the duties as such member of such board; that he will not in any manner, directly or indirectly be concerned in any contract, purchase, sale or emolument of any kind in connection with or growing out of any business of said park board, or the providing, purchasing, managing or improving of any park or playground property. Said oath shall be filed in the office of the city clerk and shall be a public record.

§ 5. The members of said park board who shall be appointed and shall qualify as aforesaid, shall as soon as convenient thereafter meet and choose one of their members to be president of the board, and one of their members to be secretary of the board, each to serve for a term of one year, and annually thereafter a president and secretary shall in a like manner be chosen. The duties of such officers shall be the usual duties incumbent upon such an office and such as the board may prescribe.

§ 6. Said park board shall have the care, management and control of all parks and playgrounds within the limits of said cities of the fourth class; to lay out and improve same

with walks, drives, roads, tree planting and to provide appliances and equipment for playgrounds, and to provide for the proper lighting of such parks and playgrounds.

§ 7. The funds derived from said levy shall be held by the treasurer of the city in a separate and distinct fund to be designated as the "Park Fund," and to be paid out by said treasurer only upon order issued by said park board signed by the secretary and countersigned by the president after the bill for same has been approved by the board in session assembled, but in no case shall the treasurer honor in any one year orders for a greater sum than the amount apportioned and levied for that year for park and playground purposes.

§ 8. Said park board shall keep a set of books showing with accuracy the receipts and expenditures of the board, which books shall at all times be subject to examination of the mayor or any committee of the general council authorized to make such examination, either for themselves or through expert accountant duly chosen, and shall annually in the month of January transmit to the mayor and general council a full and detailed report and statement of the acts and deeds of the board for the preceding year, together with a complete and itemized account of all receipts and disbursements of money with an itemized estimate of the money needed for park and playground purposes.

§ 9. Said park board of cities of the fourth class as herein provided for, are hereby declared a body politic, incorporated under the name and style of "Park Board," with perpetual succession, and by that name may contract and be contracted with, sue and be sued, have and use a corporate seal and alter or renew same at pleasure.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	J. B. Furlong	Wm. McRohan
S. E. Anderson	F. A. Gnau	Clark Macdonald
W. B. Ardery	R. C. Graham	J. L. Manning
W. O. Bach	W. T. Green	Luther Morse
Walter J. Bailey	E. L. Hagan	A. M. Mercer
A. J. Baldridge	A. L. Hall	Harry J. Meyers
W. O. Baxter	John G. B. Hall	E. B. Miller
T. H. Benton	T. W. Hardesty, Jr.	L. P. Murphy
W. P. Bowman	Herman Handmaker	James H. Muse
Thos. L. Britton	Brooks L. Hargrove	L. C. Nell
W. G. Buckner	C. W. Hawkins	Andrew Nichols
S. J. Bunger	Phillip Helf	J. H. Payne
Chas. B. Carver	J. R. Hobbs	J. G. Prather
Harry Cochran	J. S. Hollan	W. H. Pryor
John Cooper	H. B. Holland	B. A. Robertson
J. O. Creech	S. K. Holland	Charles Smith
C. B. Crossland	Ira L. Horn	Daniel Boone Smith
J. R. Dorman	Robt. L. Horn	S. G. Smith
E. J. Doss	Josephus Howard	Frank L. Strange
W. M. Duncan	W. F. Hunter	J. G. Swearingen
Thos. J. Dunn	Lester Jeter	Mac Swinford
D. E. Edwards	T. M. Johnson	J. B. Taylor
J. W. Edwards	John C. Kemper	E. G. Thomas
J. O. Evans	John B. Klefot	C. F. Thornton
Chas. H. Fair	Porter J. Land	P. H. Vincent
W. J. Fisher	S. D. Laughlin	J. C. Watkins
J. C. Flener	Leon P. Lewis	J. A. White
Duke W. Fowler	Wm. McClave	
Chas. B. Fulton	J. L. McKnight	

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There voted in the negative—

J. G. Campbell

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Resolved that the title thereof be as aforesaid.

Mr. Dunn moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Howard moved that the Rules be suspended and that a bill entitled:

H. B. 132. An Act providing free text-books for all the children of the State who attend free public schools, grades 1 to 8, inclusive,

Be made a Special Order of the Day for tomorrow, February 8, at eleven o'clock A. M.

Said motion was agreed to.

Mr. Nicholson moved that an Act entitled:

H. B. 178. An Act to create and to authorize the purchasing, acquiring and maintaining of a State School Text Book Printery and Bindery and providing for the operation thereof,

Which was on Thursday, February 2, recommitted to the Committee on Education No. 2, with leave to report at any time, be called from said Committee and taken up for immediate consideration.

The vote being taken thereon by a division of the House the Speaker announced that said motion was disagreed to.

Messrs. Nichols and Doss demanded a roll call on said motion.

Mr. Ryan moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 8, 1928.

The House was opened with prayer by the Reverend J. C. Pelgrim of the Presbyterian Church, North, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Chas. B. Fulton	J. L. Manning
A. L. Allen	J. B. Furlong	Luther Morse
S. E. Anderson	F. A. Gnau	C. C. May
W. B. Ardery	R. C. Graham	Henry Meiman
W. O. Bach	W. T. Green	A. M. Mercer
Walter J. Bailey	E. L. Hagan	Harry J. Meyers
A. J. Baldrige	A. L. Hall	E. B. Miller
W. O. Baxter	John G. B. Hall	L. P. Murphy
T. H. Benton	T. W. Hardesty, Jr.	L. C. Nell
W. P. Bowman	Herman Handmaker	Andrew Nichols
Thos. L. Britton	Brooks L. Hargrove	J. H. Payne
W. G. Buckner	C. W. Hawkins	Levi W. Powell
S. J. Bunger	Joseph M. Hayse	J. G. Prather
Sam P. Burnam	Phillip Helf	W. H. Pryor
E. L. Campbell	J. R. Hobbs	B. A. Robertson
J. G. Campbell	J. S. Hollan	C. W. Ryans
Chas. B. Carver	H. B. Holland	Charles Smith
Harry Cochran	S. K. Holland	Daniel Boone Smith
John Cooper	Ira L. Horn	S. G. Smith
C. B. Crossland	Robt. L. Horn	M. E. Sparks
J. R. Dorman	Josephus Howard	Dan Stamper
E. J. Doss	W. F. Hunter	Frank L. Strange
W. M. Duncan	T. M. Johnson	J. G. Swearingen
Thos. J. Dunn	John C. Kemper	Mac Swinford
D. E. Edwards	John B. Klefot	J. B. Taylor
J. W. Edwards	J. Porter Land	E. G. Thomas
J. O. Evans	S. D. Laughlin	C. F. Thornton
Virgil Eversole	Leon P. Lewis	P. H. Vincent
Chas. H. Fair	Wm. McClave	J. C. Watkins
W. J. Fisher	J. L. McKnight	L. M. Weathers
J. C. Flener	Wm. McRohan	J. A. White
Duke W. Fowler	Clark Macdonald	

Mr. Gnau moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 69. An Act to give relief to the Court of Appeals by giving it authority to appoint four commissioners of said court, prescribing their qualification and term of office, their method of selection, their salary and for clerical assistance.

2. S. B. 99. An Act to establish the Judicial Council of the Commonwealth of Kentucky to provide for its duties and expenses.

3. S. B. 207. An Act amending and re-enacting Section 68a-33 of an Act entitled "An Act to promote and protect live stock industries in Kentucky" approved March 28, 1918, now Section 68b-33, Carroll's Kentucky Statutes, 1920.

Ordered that said bills be printed and referred:

1. To Committee on Court of Appeals.

2. To Committee on Judiciary.

3. To Committee on Agriculture.

The House resumed consideration of the unfinished business of yesterday, viz.:

The motion of Mr. Nichols to call from the Committee on Education No. 2 a bill entitled:

H. B. 178. An Act to create and to authorize the purchasing, acquiring and maintaining of a State School Text Book Printery and Bindery, and providing for the operation thereof, etc.

Said motion was disagreed to.

The yeas and nay being required thereon by Messrs. Nichols and Doss were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	F. A. Gnau	Henry Meiman
W. B. Ardery	R. C. Graham	A. M. Mercer
W. O. Bach	L. L. Hagan	E. B. Miller
Walter J. Bailey	A. L. Hall	L. P. Murphy
W. O. Baxter	John G. B. Hall	Andrew Nichols
W. G. Buckner	Brooks L. Hargrove	J. G. Prather
S. J. Bunger	C. W. Hawkins	B. A. Robertson
Chas. B. Carver	H. B. Holland	Charles Smith
Harry Cochran	Robt. L. Horn	M. E. Sparks
C. B. Crossland	T. M. Johnson	Frank L. Strange
J. R. Dorman	John C. Kemper	Mac Swinford
E. J. Doss	John B. Klefot	C. F. Thornton
W. M. Duncan	J. Porter Land	P. H. Vincent
J. W. Edwards	S. D. Laughlin	J. C. Watkins
J. O. Evans	Leon P. Lewis	L. M. Weathers
Duke W. Fowler	Wm. McRohan	
J. B. Furlong	C. C. May	

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Those who voted in the negative were—

A. L. Allen	E. L. Campbell	J. C. Flener
S. E. Anderson	J. G. Campbell	Chas. B. Fulton
A. J. Baldridge	John Cooper	W. T. Green
T. H. Benton	J. O. Creech	T. W. Hardesty, Jr.
W. P. Bowman	Virgil Eversole	Herman Handmaker
Thos. L. Britton	Chas. H. Fair	Phillip Helf
Sam P. Burnam	W. J. Fisher	J. R. Hobbs

Ira L. Horn	Luther Morse	S. G. Smith
Josephus Howard	James H. Muse	Dan Stamper
W. F. Hunter	L. C. Nell	J. G. Swearingen
Wm. McClave	Levi W. Powell	J. B. Taylor
J. L. McKnight	W. H. Pryor	E. G. Thomas
Clark Macdonald	C. W. Ryans	J. A. White
J. L. Manning	Daniel Boone Smith	—41

The Committee on Education No. 2, to which said bill was referred with leave to report at any time, reported the bill aforesaid.

Which was taken up for immediate consideration.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established a printery and bindery to print and bind and distribute to the school children of this Commonwealth, school text books at actual cost, plus transportation cost, to be paid on delivery at the office of the County Superintendent in each county of this Commonwealth, and by him accounted for and paid into the Treasury of this Commonwealth.

§ 2. There shall be purchased and installed in some suitable rooms in the building owned by this Commonwealth, known as the Old Capitol Building, and adequate, suitable and sufficient printing and binding outfit with which all school text books used by and to be used by the children attending common, parochial, and other schools in which children eligible to enter and attend the common schools of this Commonwealth, are in attendance thereat, and there shall be printed and bound at and with such printery and bindery, all of such school text books, and the same shall be prorated among the counties of this Commonwealth, sufficient to provide all of such school children therewith for school purposes, and the

same shall be transported to and received by the county superintendents of this Commonwealth on or before the 15th of June, 1929, and every year thereafter by the Editor and Publisher of School Text Books, and by said superintendents delivered to the patrons and persons in control of school pupils of each county upon the payment to him of the actual costs of printing, binding and transportation to the office of said superintendent and when such is collected by him it shall be immediately paid by him to the State Treasurer.

§ 3. The State Purchasing Commission shall within sixty days after this Act takes effect, purchase and install as provided in this Act, sufficient and suitable printing and binding machinery, as provided for in this Act, at a cost of not exceeding Seventy-five Thousand Dollars (\$75,000.00). and shall draw a warrant in the name of the Commonwealth payable out of the State Treasury with which to pay for such printery and bindery, and all equipments and supplies and material needed or necessary to print and bind and distribute School Text Books under this Act, shall be purchased and paid for by said Purchasing Commission, as the same may be needed and paid for as aforesaid by said Commission. Said Commission shall acquire manuscripts of School Text Books suitable and needed for School purposes as provided for in this Act from time to time, and pay for same aforesaid, whether the same be copyrighted or not copyrighted.

§ 4. The Kentucky Educational Association may select and recommend such manuscripts as herein before required and it shall be the duty of the Purchasing Commission to give preference to such as so selected and recommended by said Association.

§ 5. The State Text Book Commission shall from time to time as well as when requested by the State Purchasing Commission select and recommend manuscripts and texts of books to be printed and used as provided for in this Act, and it shall be the duty of the State Textbook Commission annually to report to the Purchasing Commission, manuscript or manu-

scripts, copyrights and texts for school books herein provided for, and the price or prices at which same may be acquired, and the said purchasing commission shall not purchase any manuscript or copyright or text of a school book until same shall have been approved by said Kentucky Educational Association or the State Text Book Commission, or both.

§ 6. The Kentucky Educational Association, the State Text Book Commission and the Purchasing Commission shall at all times diligently provide and furnish for printing and binding school text books as herein provided for, equal to school text books in use in other States, and not caused to be changed oftener than the life of any textbook by ordinary use in the hands of pupils, any text book after its publication and use as herein provided for shall have been begun.

§ 7. The Kentucky Educational Association shall within sixty days after this Act takes effect select five names of well known, well established, high class, thoroughly qualified educators, of not less than thirty years of age, and who have actual experience in continuous school work for not less than ten years, either as pupil or teacher or both, and the State Text Book Commission, within sixty days after this Act takes effect, shall select a list of five names, of the same age, experience, type and qualifications above listed, and these lists of names shall be lodged with the State Purchasing Commission, and remain lodged for ten days, during which time, objections may be assigned by any interested person, showing cause why any person named on either or both of said lists should not be employed by said Purchasing Commission as said "State Editor and Publisher of State school text books," and after hearing such complaints, if any, then it shall be the duty of said Purchasing Commission immediately to select from said lists, and employ for the position of such Editor and Publisher, of School Text Books, any one named on one or both of said lists who shall continue in said position and paid for his services the sum of Five Thousand Dollars Annually, to be paid in equal installments each month, until re-

moved for cause by both the State School Text Book Commission and the State Purchasing Commission at a joint meeting called and held for that purpose after due notice thereof, stating the cause charged, the time and place of hearing and after said editor and publisher is duly heard and tried, and dismissed by a majority of said commissioners.

§ 8. The Purchasing Commission shall employ all printers, foreman of printing, and helpers needed or necessary to skillfully operate said printery and bindery as herein provided for and fix the salary of each at time of employment, but the State Editor and Publisher of State School Text Books shall have exclusive power and right to discharge such printer, foreman, or other employee so employed by said Purchasing Commission, and upon doing so shall so notify said commission and it then shall be the duty of said Commission to provide, if needed in the judgment of said Editor and Publisher, another person in the room and stead of such discharged employee, and all persons so employed as provided in this section shall be employed subject to the power and right of said Editor and Publisher to discharge him or her at his discretion, either with or without cause. Said employees herein provided for shall be paid monthly out of the State Treasury, the salary of such employee to be fixed at the time of employment by the State Purchasing Commission.

§ 9. The State Editor and Printer, shall devote all of his time to the work of printing and editing and publishing the school text books herein provided for, and shall aid and assist the State Text Book Commission in finding, and examining, and determining where manuscripts and copyrights of text books and text thereof may be acquired, whether suitable and proper, and shall keep records of his actions in regard thereto as herein provided for and he shall keep himself advised of the names, residence and qualifications of educators who are able to or do engage in writing school text books, and the costs of copyrights, and of uncopyrighted text books, and if any un-

copyrighted manuscripts are acquired by gift, donation or purchase to have the same copyrighted in the name of the Kentucky School Text Book Printery and Bindery.

§ 10. It shall be unlawful for the State Editor and Publisher of school text books, or any employee under this Act, directly or indirectly to engage in politics, or to write, speak, or act in behalf of or against any measure or any candidate for office, either State, district, county, and any one thus offending shall thereby forfeit his employment, and upon indictment and conviction shall be fined in any sum, not less than Five Hundred Dollars nor more than Five Thousand Dollars and upon conviction it shall be the duty of the Court trying such employee to declare his employment terminated and he or she shall not thereafter be eligible to employment in any State work or office or hold any office for four years thereafter.

§ 11. All laws in conflict herewith are hereby repealed.

§ 12. Whereas, the cost of school text books is enormous, and the publishers of school text books intermeddle with the work of the legislature and the officers of this Commonwealth with a view of controlling them in the adoption and sale of school text books in this Commonwealth and it is an enormous waste of time of the legislature from time to time to delay and consume time, incident to lobbying for and against school text book laws, and whereas, the school text books are too often changed for the good of the welfare of the patrons of Common Schools of this Commonwealth, and it is necessary for the good of the school children that the continuous turmoil which has been incident to the school text books of this Commonwealth, and whereas, the Commonwealth can publish the same at nominal cost and when a nominal price is paid therefor by patrons of the common schools, this will induce such patrons to take better care of them, therefore an emergency is hereby declared, and this Act shall take effect and be in force from and after its passage and approval by the Governor.

Mr. Howard moved that the consideration of said bill be postponed until tomorrow at eleven o'clock A. M.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Nichols and Doss were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	Chas. B. Fulton	J. L. Manning
S. E. Anderson	W. T. Green	Luther Morse
A. J. Baldridge	T. W. Hardesty, Jr.	James H. Muse
T. H. Benton	Herman Handmaker	L. C. Nell
W. P. Bowman	Joseph M. Hayse	Levi W. Powell
Thos L. Britton	Phillip Helf	W. H. Pryor
Sam P. Burnam	J. R. Hobbs	C. W. Ryans
E. L. Campbell	S. K. Holland	Daniel Boone Smith
J. G. Campbell	Ira L. Horn	S. G. Smith
John Cooper	Josephus Howard	Dan Stamper
J. O. Creech	W. F. Hunter	J. G. Swearingen
Virgil Eversole	Lester Jeter	J. B. Taylor
Chas. H. Fair	Wm. McClave	E. G. Thomas
W. J. Fisher	J. L. McKnight	J. A. White
J. C. Flener	Clark Macdonald	

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Those who voted in the negative were—

J. Curtis Alcock	Thos. J. Dunn	Brooks L. Hargrove
W. B. Ardery	D. E. Edwards	C. W. Hawkins
W. O. Bach	J. W. Edwards	H. B. Holland
W. G. Buckner	J. O. Evans	Robt. L. Horn
S. J. Bunger	Duke W. Fowler	T. M. Johnson
Chas. B. Carver	J. B. Furlong	John C. Kemper
Harry Cochran	F. A. Gnau	John B. Klefot
C. B. Crossland	R. C. Graham	J. Porter Land
J. R. Dorman	E. L. Hagan	S. D. Laughlin
E. J. Doss	A. L. Hall	Leon P. Lewis
W. M. Duncan	John G. B. Hall	Wm. McRohan

C. C. May	Andrew Nichols	Frank L. Strange
Henry Meiman	J. H. Payne	Mac Swinford
A. M. Mercer	J. G. Prather	C. F. Thornton
Harry J. Meyers	B. A. Robertson	P. H. Vincent
E. B. Miller	Charles Smith	J. C. Watkins
L. P. Murphy	M. E. Sparks	L. M. Weathers

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Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and lost.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. B. Furlong	Wm. McRohan
W. B. Ardery	F. A. Gnau	C. C. May
Walter J. Bailey	R. C. Graham	Henry Meiman
W. O. Baxter	E. L. Hagan	A. M. Mercer
W. G. Buckner	A. L. Hall	Harry J. Meyers
S. J. Bungler	John G. B. Hall	E. B. Miller
Chas. B. Carver	Brooks L. Hargrove	Andrew Nichols
Harry Cochran	C. W. Hawkins	J. H. Payne
C. B. Crossland	H. B. Holland	J. G. Prather
E. J. Doss	Robt. L. Horn	B. A. Robertson
W. M. Duncan	T. M. Johnson	Charles Smith
D. E. Edwards	John C. Kemper	Frank L. Strange
J. W. Edwards	John B. Klefot	C. F. Thornton
J. O. Evans	S. D. Laughlin	P. H. Vincent
Duke W. Fowler	Leon P. Lewis	L. M. Weathers

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Those who voted in the negative were—

A. L. Allen	A. J. Baldrige	Thos. L. Britton
S. E. Anderson	T. H. Benton	Sam P. Burnam
W. O. Bach	W. P. Bowman	E. L. Campbell

J. G. Campbell	J. R. Hobbs	L. C. Nell
John Cooper	S. K. Holland	Levi W. Powell
J. O. Creech	Ira L. Horn	W. H. Pryor
J. R. Dorman	Josephus Howard	C. W. Ryans
Virgil Eversole	W. F. Hunter	Daniel Boone Smith
Chas. H. Fair	Lester Jeter	S. G. Smith
W. J. Fisher	J. Porter Land	M. E. Sparks
J. C. Flener	Wm. McClave	Dan Stamper
Chas. B. Fulton	J. L. McKnight	J. G. Swearingen
W. T. Green	Clark Macdonald	Mac Swinford
T. W. Hardesty, Jr.	J. L. Manning	J. B. Taylor
Herman Handmaker	Luther Morse	E. G. Thomas
Joseph M. Hayse	L. P. Murphy	J. C. Watkins
Phillip Helf	James H. Muse	J. A. White

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Mr. Ryans moved that the vote by which said bill was disagreed to be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The Speaker laid before the House the following communication, viz.:

Hon. John S. Milliken, Speaker,
Frankfort, Kentucky.

Dear Speaker:

Enclosed you will find a list of lobbyists registered in the office of the Attorney General for this session between January 30 and February 4, 1928, inclusive. This is furnished you in pursuance to a Resolution offered by Hon. J. G. Prather on January 18, 1928.

Yours very truly,

J. W. CAMMACK, *Attorney General.*

Name	Address	Interest of
Bruno Bausle		Ky. Barber Act
E. T. Estes		Ky. Barber Act
H. V. McChesney	Frankfort	Annual appro. for Ky. State Historical Soc.
H. V. McChesney	Frankfort	Annual appro. for Ky. Crippled Children Com.
C. A. Langerman	Louisville	International Metal Po. Union, Local 66 (Blower)
Jessie Cryer	Alton	Opposed to S. B. 172 Architecture
Wm. M. Duffy	Louisville	Stranahan, Harris & Otis Favorable to S. B. 8 and H. B. 47.
S. F. Orr	Mayfield	Mayfield Chamber of Commerce.

Mr. Lewis moved that Miss Margaret Gnau be made an Honorary Page for this session.

Said motion was agreed to.

Mr. Jeter moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Hargrove offered the following resolution, viz.:

Whereas, the taxpayers of the State have a right to know for what purpose all revenues of the State are expended,

Whereas, this body composes the only legal representatives of the people,

Whereas, Section 4597 of Carroll's Kentucky Statutes, 1922, specifically requires a report of the Sinking Fund Commission to the General Assembly during the first week of its session, and

Whereas, for some reason this report has not been made, Therefore, be it

Resolved by this body that we most respectfully request the Auditor of Public Accounts who is the Secretary of the Sinking Fund Commission, that he make to this body a detailed report of the activities of said commission in regard to insurance on state property.

Be it further Resolved, that the presentation of said report by the secretary of said commission be made a special order of the day for Thursday, February 9, at 11 o'clock.

Ordered that said resolution be referred to Committee on Rules.

Upon a call of the counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Hunter:

H. B. 503. An Act to authorize the Mayor. Council, Board of Aldermen, Commissioners or governing bodies of cities, incorporated towns or fiscal courts of the county or the county commissioners of any county to appropriate from taxes levied and collected by cities, towns or counties not less than one-fortieth of one per cent nor exceeding one-tenth of one per cent of the assessed valuation of real and personal property in such cities, towns or counties for aiding and encouraging factories and enterprises, in making industrial surveys or locating commercial plants in or near such cities, towns or counties, and providing that no incorporated town or county shall appropriate such funds until this act shall have been approved by a majority of the qualified voters of said city, incorporated town or county at a general election or special election, as provided herein, etc.

To Committee on Kentucky Statutes.

By Mr. Ardery:

H. B. 504. An Act appropriating one Thousand Dollars for the purchase, erection and maintenance of a bell to be known as the "Kentucky Chime" in the Washington Memorial Chapel at Valley Forge, Pennsylvania.

To Committee on Appropriations No. 1.

By Mr. Cochran:

H. B. 505. An Act to preserve Game and edible fish.

To Committee on Fish and Game.

By Mr. Flener:

H. B. 506. An Act establishing as part of the Primary System of State Highways the road leading from Rocky Hill to Hays.

To Committee on Roads and Highways No. 3.

By Mr. Helf:

H. B. 507. An Act regulating procedure in action for divorce, maintenance, separation or alimony and providing for appointment of guardian ad litem for infants in such case.

To Committee on Kentucky Statutes.

By Mr. Gnau:

H. B. 508. An Act to amend and re-enact Section 576 of Kentucky Statutes.

To Committee on Kentucky Statutes.

The hour of eleven o'clock having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 132. An Act providing for free text books for all the children of the State who attend free Public Schools, grades one to eight inclusive.

With Committee Amendments thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Board of Education is hereby authorized and empowered and it is made its duty to purchase books from the contractors of textbooks used in the free public schools of the State and to distribute the same without cost to the pupils attending such schools, grades 1 to 8, inclusive, within this state in the manner and upon the condition herein-after set out.

§ 2. That in order to carry out the provisions of this Act:

(1) There is hereby appropriated out of the State Treasury, annually, a sum sufficient to cover the cost and distribution of Free Text books herein provided for, and the Treasurer, of the Commonwealth of Kentucky, is hereby directed to pay for same, upon presentation of triplicate voucher for same, signed by the Superintendent of Public Instruction and approved by the State Board of Education.

(2) There is appropriated annually out of the general funds of the Treasury a sum not to exceed seven thousand five hundred (\$7,500) dollars to be used by the State Board of Education in the administration of this Act as hereinafter provided; provided that such portion of said funds as is not used shall be covered into the general funds of the Treasury.

§ 3. The purchase and distribution of free textbooks by the State shall be under the management of the State Superintendent of Public Instruction, subject to the approval of the State Board of Education.

§ 4. That it shall be the duty of the Superintendent of Public Instruction, subject to the approval of the State Board of Education, to purchase the textbooks from the publishers with whom the Textbook Commission has entered into contract. Such purchases to be upon requisitions of county superintendents, independent graded school principals, and city superintendent as hereinafter provided.

§ 5. That the Superintendent of Public Instruction shall prepare or cause to be prepared requisition forms on which all county superintendents, independent graded school principals and city superintendents shall requisition the books needed for the next ensuing school term in the districts of their respective jurisdictions. Such requisition shall be filed with the Superintendent of Public Instruction at least one hundred and twenty (120) days before the beginning of school in the various districts.

The Superintendent of Public Instruction, under direction of the State Board of Education, shall order the textbooks, which have been requisitioned, from the various publishers according to the terms of the contracts entered into by and between the State Textbook Commission and the publishers.

Such textbooks shall be shipped F. O. B. freight, express or mail as directed by the Superintendent of Public Instruction, direct from the publisher to the superintendents and principals making the requisition. The publishers shall issue invoices in triplicate. Invoice No. 1 shall be sent direct to the Superintendent of Public Instruction and Invoices No. 2 and 3 shall be sent to the superintendent or principal receiving the textbooks. Upon receipt of the textbooks the superintendent or principal shall check the shipment against the invoice and O. K. Invoice No. 2 to the Superintendent of Public

Instruction as a receipt of the shipment. The State Board of Education may then order payment.

§ 6. That all textbooks purchased under the provisions of this Act are and shall remain the property of the State. The superintendents and principals making requisition for the textbooks are custodians of the books in their respective jurisdiction. They shall issue the books to the various schools and districts in their jurisdiction according to the rules and regulations which shall be formulated by the Superintendent of Public Instruction, subject to the approval of the State Board of Education.

§ 7. That specific rules as to the requisition, distribution, care and use of textbooks shall be made by the State Superintendent of Public Instruction, subject to the approval of the State Board of Education; provided, that such rules shall not conflict with the provisions of this Act; nor with the uniform textbook law under the terms of which contracts for books have been made with the publishers nor with the terms of said contract; provided, further, no teacher or school employee engaged in the distribution of textbooks under the provisions of the Act shall, in connection with such distribution or otherwise or at all, sell or distribute, or in anyway handle, any kind of school furniture or supplies, such as books, desks, stoves, blackboards, crayon, erasers, pens, ink, pencils, tablets, etc., for use in the public schools.

§ 8. That the State Superintendent of Public Instruction, subject to the approval of the State Board of Education, shall provide rules and regulations for the disposal of such textbooks as are no longer in fit condition to be used for purposes of instruction. Any funds accruing from the sale of such books shall be covered into the general funds of the Treasury.

§ 9. That the State Superintendent of Public Instruction, subject to the approval of the State Board of Education, shall formulate rules and regulations governing the sale of textbooks by the local superintendents and principals to

pupils, parents, or guardians of pupils attending the public schools of the State; provided, such individuals desire to hold textbooks as their own property; provided, further, principals and superintendents shall not sell textbooks to private or sectarian schools, nor shall any of the provisions of this Act govern the use of textbooks in any private or sectarian school.

Local superintendents and principals shall furnish the books, as described in the paragraph above, at the retail contract price. Funds accruing from such sales shall be covered in the general fund of the State Treasury.

§ 10. That the willful violation of this Act by any person shall be a misdemeanor punishable by a fine of not less than one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dollars.

§ 11. That all textbooks shall be permanently labeled as the property of the State of Kentucky according to a plan formulated by the Superintendent of Public Instruction and approved by the State Board of Education; provided that rules and regulations shall also be formulated by the Superintendent of Public Instruction, and approved by the State Board of Education, governing the assignment of textbooks to pupils, their care in the hands of pupils, and their return to the teachers; provided, further, that each pupil, or its parent or guardian, shall be responsible to the teacher for all books not returned by the pupil, and said pupil not returning all books delivered to him or her shall not be entitled to the benefits of this Act until said books are paid for by said parent or guardian or accounted for in keeping with the regulation of the State Board of Education.

§ 12. This Act shall become effective upon its approval by the Governor, and textbooks shall be furnished under its provisions for the school year beginning July first, 1928, and each succeeding year thereafter; provided, that when the school session begins in 1928 pupils, who have textbooks still in use as adopted texts, may have the option of continuing the

use of such books as their own property or of continuing the use of such books as the property of the State of Kentucky receiving in payment for same a sum not to exceed 50 per cent of the original retail price. The price to be fixed by the teacher according to a scale set by the Superintendent of Public Instruction.

§ 13. That should the courts decree any section or provision of this Act unconstitutional such decision shall offset only the section or provision so decreed to be unconstitutional and shall not offset any other section or part of this Act.

Said amendments as offered by the Committee are as follows, viz.:

Amend H. B. 132, Section 2, article 2 by striking out section 2 and substituting therefor, the following:

(2) There is hereby appropriated, annually, for a period of two years, the sum of Fifteen Thousand Dollars, or so much thereof, as may be necessary to be used by the State Board of Education in the administration of this Act, as herein provided, and provided that any unused portion of the same, shall biennially, be covered into the general funds of the Treasury.

2. Amend H. B. 132, pages 2 and 3 of printed bill by striking out lines 14, 15 16 and 17 down to the word "Invoice" and inserting in lieu of said lines, the following:

Such textbooks shall be shipped, by the publisher, by prepaid freight, express or parcel post, as directed by the Superintendent of Public Instruction, direct to the County Superintendents, City Superintendents, Principals of Schools, as may be directed by the Superintendent of Public Instruction. The publishers shall issue invoices in triplicate.

3. Amend H. B. 132, page 3, section 7, line 6 by inserting between the words "made" and "with" the following: "or may hereafter be made."

4. Amend H. B. 132, page 5 printed bill, Section 12, by striking therefrom the whole of section and substitute therefor, the following:

This Act shall become effective, July 1, 1928, and textbooks shall be furnished under its provisions for the school year of 1929 and each succeeding year thereafter, provided that school children, who have textbooks still in use as adopted text shall be permitted to use and continue to use said books so long as they are fit for use in the schools of this Commonwealth.

Mr. Swinford moved that this House do now resolve itself into the Committee of the whole House for the purpose of discussing said bill.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Swinford and Jeter, were as follows, viz.:

Those who voted in the affirmative were—

S. J. Bunger	A. L. Hall	L. P. Murphy
Chas. B. Carver	John G. B. Hall	Andrew Nichols
Harry Cochran	Brooks L. Hargrove	J. H. Payne
C. B. Crossland	J. S. Hollan	J. G. Prather
W. M. Duncan	H. B. Holland	B. A. Robertson
J. W. Edwards	T. M. Johnson	Frank L. Strange
J. O. Evans	S. D. Laughlin	Mac Swinford
Duke W. Fowler	Leon P. Lewis	C. F. Thornton
J. B. Furlong	Wm. McRohan	P. H. Vincent
F. A. Gnau	Henry Meiman	L. M. Weathers
R. C. Graham	A. M. Mercer	
E. L. Hagan	E. B. Miller	

Those who voted in the negative were—

J. Curtis Alcock	Chas. H. Fair	J. L. McKnight
A. L. Allen	W. J. Fisher	Clark Macdonald
S. E. Anderson	J. C. Flener	J. L. Manning
W. B. Ardery	Chas. B. Fulton	C. C. May
Walter J. Bailey	W. T. Green	James H. Muse
A. J. Baldridge	T. W. Hardesty, Jr.	L. C. Nell
W. O. Baxter	Herman Handmaker	Levi W. Powell
T. H. Benton	C. W. Hawkins	W. H. Pryor
W. P. Bowman	Joseph M. Hayse	C. W. Ryans
Thos. L. Britton	Phillip Helf	Charles Smith
W. G. Buckner	J. R. Hobbs	Daniel Boone Smith
Sam P. Burnam	S. K. Holland	S. G. Smith
E. L. Campbell	Ira L. Horn	M. E. Sparks
J. G. Campbell	Robt. L. Horn	Dan Stamper
John Cooper	Josephus Howard	J. G. Swearingen
J. O. Creech	W. F. Hunter	J. B. Taylor
J. R. Dorman	Lester Jeter	E. G. Thomas
E. J. Doss	John C. Kemper	J. C. Watkins
Thos. J. Dunn	John B. Klefot	J. A. White
D. E. Edwards	J. Porter Land	
Virgil Eversole	Wm. McClave	

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The Amendments as offered by the Committee were then severally adopted.

Mr. Klefot offered the following Amendment to said bill viz.:

Amend H. B. 132 by inserting between section 10 and 11, page 4 of the printed bill, a new section to be numbered 10½ which shall read as follows, viz.:

10½. For the purpose of providing funds for the purchase of the textbooks provided for herein, there is now levied a tax of ten cents (10c) on each cubic yard of sand and gravel extracted from the Ohio River or the bed thereof, which said revenue shall be used solely for said purpose. The State Tax

Commission shall prepare proper blanks and forms and make proper rules for the levy and collection of said tax. No funds, other than the funds secured from said tax, shall be used for the purchase of text books or for any other expense provided for in this act.

Said Amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Fowler and Jeter, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. B. Furlong	Leon P. Lewis
W. B. Ardery	F. A. Gnau	Wm. McRohan
W. O. Bach	R. C. Graham	Henry Meiman
W. O. Baxter	E. L. Hagan	A. M. Mercer
S. J. Bunger	A. L. Hall	E. B. Miller
Chas. B. Carver	John G. B. Hall	Andrew Nichols
Harry Cochran	Brooks L. Hargrove	J. G. Prather
C. B. Crossland	C. W. Hawkins	Frank L. Strange
E. J. Doss	J. S. Hollan	Mac Swinford
W. M. Duncan	H. B. Holland	C. F. Thornton
D. E. Edwards	Robt. L. Horn	P. H. Vincent
J. W. Edwards	T. M. Johnson	L. M. Weathers
J. O. Evans	John B. Klefot	
Duke W. Fowler	S. D. Laughlin	

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Those who voted in the negative were—

A. L. Allen	E. L. Campbell	J. C. Flener
S. E. Anderson	J. G. Campbell	Chas. B. Fulton
Walter J. Bailey	John Cooper	W. T. Green
A. J. Baldridge	J. O. Creech	T. W. Hardesty, Jr.
T. H. Benton	J. R. Dorman	Herman Handmaker
W. P. Bowman	Thos. J. Dunn	Joseph M. Hayse
Thos. L. Britton	Virgil Eversole	Phillip Helf
W. G. Buckner	Chas. H. Fair	J. R. Hobbs
Sam P. Burnam	W. J. Fisher	S. K. Holland

Ira L. Horn	Luther Morse	Charles Smith
Josephus Howard	C. C. May	Daniel Boone Smith
W. F. Hunter	Harry J. Meyers	S. G. Smith
Lester Jeter	L. P. Murphy	M. E. Sparks
John C. Kemper	James H. Muse	Dan Stamper
J. Porter Land	L. C. Nell	J. G. Swearingen
Wm. McClave	J. H. Payne	J. B. Taylor
J. L. McKnight	Levi W. Powell	E. G. Thomas
Clark Macdonald	W. H. Pryor	J. C. Watkins
J. L. Manning	C. W. Ryans	J. A. White

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Mr. Jeter moved that the vote by which said amendment was disagreed to be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the hour of twelve o'clock, Mr. Strange moved that the House do now recess for one hour.

Said motion was agreed to.

The hour of one o'clock having arrived, the Speaker resumed the Chair and called the House to order.

Mr. Dunn moved the previous question.

The Speaker then announced "Shall the main question be now put?" The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fowler and Klefot, were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	Walter J. Bailey	T. H. Benton
S. E. Anderson	A. J. Baldridge	W. P. Bowman

Thos. L. Britton	C. W. Hawkins	Harry J. Meyers
W. G. Buckner	Joseph M. Hayse	L. P. Murphy
Sam P. Burnam	Phillip Helf	James H. Muse
E. L. Campbell	J. R. Hobbs	L. C. Nell
J. G. Campbell	J. S. Hollan	Levi W. Powell
John Cooper	Ira L. Horn	W. H. Pryor
J. O. Creech	Josephus Howard	C. W. Ryans
Thos. J. Dunn	W. F. Hunter	Charles Smith
Virgil Eversole	Lester Jeter	Daniel Boone Smith
Chas. H. Fair	John C. Kemper	S. G. Smith
W. J. Fisher	J. Porter Land	M. E. Sparks
J. C. Flener	Wm. McClave	Dan Stamper
Chas. B. Fulton	J. L. McKnight	J. G. Swearingen
R. C. Graham	Clark Macdonald	J. B. Taylor
W. T. Green	J. L. Manning	E. G. Thomas
T. W. Hardesty, Jr.	Luther Morse	J. A. White
Herman Handmaker	C. C. May	

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Those who voted in the negative were—

J. Curtis Alcock	J. B. Furlong	Henry Meiman
W. O. Bach	F. A. Gnau	A. M. Mercer
W. O. Baxter	E. L. Hagan	E. B. Miller
S. J. Bunger	A. L. Hall	Andrew Nichols
Chas. B. Carver	John G. B. Hall	J. H. Payne
Harry Cochran	Brooks L. Hargrove	J. G. Prather
C. B. Crossland	H. B. Holland	B. A. Robertson
E. J. Doss	Robt. L. Horn	Frank L. Strange
W. M. Duncan	T. M. Johnson	Mac Swinford
D. E. Edwards	John B. Klefot	C. F. Thornton
J. W. Edwards	S. D. Laughlin	P. H. Vincent
J. O. Evans	Leon P. Lewis	J. C. Watkins
Duke W. Fowler	Wm. McRohan	L. M. Weathers

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Mr. Swinford moved that the House do now adjourn.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Swinford and Jeter, were as follows, viz.:

Those who voted in the affirmative were—

W. C. Bach	E. L. Hagan	Henry Meiman
S. J. Bunger	A. L. Hall	A. M. Mercer
Chas. B. Carver	John G. B. Hall	E. B. Miller
Harry Cochran	Brooks L. Hargrove	Andrew Nichols
C. B. Crossland	H. B. Holland	J. H. Payne
E. J. Doss	Robt. L. Horn	J. G. Prather
W. M. Duncan	T. M. Johnson	B. A. Robertson
J. W. Edwards	John C. Kemper	Frank L. Strange
J. O. Evans	John B. Klefot	Mac Swinford
Duke W. Fowler	S. D. Laughlin	C. F. Thornton
J. B. Furlong	Leon P. Lewis	P. H. Vincent
F. A. Gnau	Wm. McRohan	L. M. Weathers

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Those who voted in the negative were—

J. Curtis Alcock	Chas. B. Fulton	Luther Morse
A. L. Allen	R. C. Graham	C. C. May
S. E. Anderson	W. T. Green	L. P. Murphy
Walter J. Bailey	T. W. Hardesty, Jr.	James H. Muse
A. J. Baldridge	Herman Handmaker	L. C. Nell
T. H. Benton	C. W. Hawkins	Levi W. Powell
W. P. Bowman	Joseph M. Hayse	W. H. Pryor
Thos. L. Britton	Phillip Helf	C. W. Ryans
W. G. Buckner	J. R. Hobbs	Charles Smith
Sam P. Burnam	J. S. Hollan	Daniel Boone Smith
E. L. Campbell	S. K. Holland	S. G. Smith
J. G. Campbell	Ira L. Horn	M. E. Sparks
John Cooper	Josephus Howard	Dan Stamper
J. O. Creech	W. F. Hunter	J. G. Swearingen
Thos. J. Dunn	Lester Jeter	J. B. Taylor
D. E. Edwards	J. Porter Land	E. G. Thomas
Virgil Eversole	Wm. McClave	J. C. Watkins
Chas. H. Fair	J. L. McKnight	J. A. White
W. J. Fisher	Clark Macdonald	
J. C. Flener	J. L. Mauning	

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Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	Chas. B. Fulton	J. L. Manning
S. E. Anderson	R. C. Graham	Luther Morse
Walter J. Bailey	W. T. Green	C. C. May
A. J. Baldrige	T. W. Hardesty, Jr.	L. P. Murphy
T. H. Benton	Herman Handmaker	James H. Muse
W. P. Bowman	Joseph M. Hayse	L. C. Nell
Thos. L. Britton	Phillip Helf	Levi W. Powell
Sam P. Burnam	J. R. Hobbs	W. H. Pryor
E. L. Campbell	J. S. Hollan	C. W. Ryans
J. G. Campbell	S. K. Holland	Charles Smith
John Cooper	Ira L. Horn	Daniel Boone Smith
J. O. Creech	Josephus Howard	S. G. Smith
J. R. Dorman	W. F. Hunter	M. E. Sparks
Thos. J. Dunn	Lester Jeter	Dan Stamper
D. E. Edwards	John C. Kemper	J. G. Swearingen
Virgil Eversole	J. Porter Land	J. B. Taylor
Chas. H. Fair	Wm. McClave	E. G. Thomas
W. J. Fisher	J. L. McKnight	P. H. Vincent
J. C. Flener	Clark Macdonald	J. A. White

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Those who voted in the negative were—

J. Curtis Alcock	S. J. Bunger	E. J. Doss
W. B. Ardery	Chas. B. Carver	W. M. Duncan
W. O. Bach	Harry Cochran	J. W. Edwards
W. G. Buckner	C. B. Crossland	J. O. Evans

Duke W. Fowler	T. M. Johnson	J. H. Payne
J. B. Furlong	John B. Klefot	J. G. Prather
F. A. Gnau	S. D. Laughlin	B. A. Robertson
E. L. Hagan	Leon P. Lewis	Frank L. Strange
A. L. Hall	Wm. McKohan	Mac Swinford
John G. B. Hall	Henry Meiman	C. F. Thornton
Brooks L. Hargrove	A. M. Mercer	J. C. Watkins
C. W. Hawkins	Harry J. Meyers	L. M. Weathers
H. B. Holland	E. B. Miller	
Robt. L. Horn	Andrew Nichols	

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Resolved that the title thereof be as aforesaid.

Mr. Jeter moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Ryans moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, FEBRUARY 9, 1928

The House was opened with prayer by the Reverend Hampton Adams of the First Christian Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	A. J. Baldrige	S. J. Bunger
A. L. Allen	W. O. Baxter	Sam P. Burnam
S. E. Anderson	T. H. Benton	E. L. Campbell
W. B. Ardery	W. P. Bowman	J. G. Campbell
W. O. Bach	Thos. L. Britton	Chas. B. Carver
Walter J. Bailey	W. G. Buckner	Harry Cochran

John Cooper	Joseph M. Hayse	E. B. Miller
J. O. Creech	Phillip Helf	L. P. Murphy
C. B. Crossland	J. R. Hobbs	James H. Muse
J. R. Dorman	J. S. Hollan	L. C. Nell
E. J. Doss	H. B. Holland	Andrew Nichols
W. M. Duncan	S. K. Holland	J. H. Payne
Thos. J. Dunn	Ira L. Horn	Levi W. Powell
D. E. Edwards	Robt. L. Horn	J. G. Prather
J. W. Edwards	Josephus Howard	W. H. Pryor
J. O. Evans	W. F. Hunter	B. A. Robertson
Virgil Eversole	Lester Jeter	C. W. Ryans
Chas. H. Fair	T. M. Johnson	Charles Smith
W. J. Fisher	John C. Kemper	Daniel Boone Smith
J. C. Flener	John B. Klefot	S. G. Smith
Duke W. Fowler	J. Porter Land	M. E. Sparks
Chas. B. Fulton	S. D. Laughlin	Dan Stamper
J. B. Furlong	Leon P. Lewis	Frank L. Strange
F. A. Gnau	Wm. McClave	J. G. Swearingen
R. C. Graham	J. L. McKnight	Mac Swinford
W. T. Green	Wm. McRohan	J. B. Taylor
E. L. Hagan	Clark Macdonald	E. G. Thomas
A. L. Hall	J. L. Manning	C. F. Thornton
John G. B. Hall	Luther Morse	P. H. Vincent
T. W. Hardesty, Jr.	C. C. May	J. C. Watkins
Herman Handmaker	Henry Meiman	L. M. Weathers
Brooks L. Hargrove	A. M. Mercer	J. A. White
C. W. Hawkins	Harry J. Meyers	

Mr. Jeter moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to. .

Mr. Murphy moved that the Rules be suspended and that a bill entitled:

H. B. 243. An Act increasing the powers of the State Highway Commission with reference to building bridges, etc.

Be made a Special Order for next Tuesday, February 14, at eleven o'clock A. M.

Said motion was agreed to.

Mr. Doss moved that the rules be suspended and that a bill entitled :

H. B. 406. An Act repealing sections 1486 and 1506, inclusive, of Kentucky Statutes, Carroll's 1922 Edition, relating to registration in certain cities and towns, including cities of the fourth class, etc.

Be made a Special Order for tomorrow at eleven o'clock A. M.

Said motion was agreed to.

Mr. Jeter moved that the Rules be suspended and that a bill entitled :

H. B. 17. An Act providing for the election of County Superintendent by popular vote.

Be made a Special Order for tomorrow morning at ten-thirty o'clock.

Said motion was agreed to.

Mr. Jeter moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Gnau moved that the Rules be suspended and that a bill entitled :

S. B. 8. An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams so as to connect such cities with an adjoining state, etc.

Be made a Special order for tomorrow at twelve-fifty-nine o'clock P. M. ,

Said motion was agreed to.

Mr. Graham moved that the Rules be suspended and that the House take up for immediate consideration a bill entitled :

S. B. 89. An Act to appropriate the sum of One Hundred Eighty-four Thousand Dollars and Sixty-six Cents for the use and benefit of the Kentucky State Industrial College for Colored Persons for the training of Teachers and Industrial Leaders.

Said motion was agreed to.

Thereupon the House took up for consideration from the Orders of the Day, the bill aforesaid.

Said bill is as follows, viz. :

Be it enacted by the General Assembly of the Commonwealth of Kentucky :

§ 1. That the sum of One Hundred Eighty-four Thousand, One Hundred Forty-five (\$184,145.66) Dollars and Sixty-six Cents be and is hereby appropriated out of the general expenditure fund of the Commonwealth of Kentucky for the benefit of the Kentucky State Industrial College for the Training of Teachers and Industrial Leaders, for the purpose of erecting and equipping a girls' dormitory upon the Campus of said College to take the place of the dormitory and equipment destroyed by fire on said campus on December 13, 1926; said sum to be used exclusively for the erection of said Dor-

mitory and for the purpose of equipment and for making other improvements upon the campus of said College, and said sum so appropriated is appropriated for the immediate use of the Trustees of said College for the erection and construction of said building and said improvements aforesaid.

“All said building equipment and improvement shall be let publicly at open and competitive bidding to the lowest and best bidders, after advertising same for not less than ten days in one or more newspapers of general circulation and published in this State and otherwise if desired, stating the time, place, and conditions of such lettings, with right to reject any or all bids and readvertise.”

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant in favor of the Trustees of the aforesaid College at such times and for such amounts as said trustees shall direct against appropriation, until the entire sum of One Hundred Eighty-four Thousand, One Hundred Forty-five (\$184,145.66) Dollars and Sixty-six Cents is used for said purpose aforesaid.

Said sum so appropriated shall be credited by the amount of insurance received on account of the burning of the building this appropriation is made to replace.

§ 3. Whereas owing to the burning of the girls' dormitory upon the campus of the College herein mentioned and the crowded, unsanitary and unhealthful conditions in which the pupils of said College are placed and by reason of lack of room and by reason of said College being hampered and retarded in its beneficial work and by reason of the lack of room, an emergency is now and hereby declared to exist and this bill shall take effect and be in force from and after it is passed and approved by the Governor, as the needs of said College are immediate and imperative.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. J. Fisher	J. L. McKnight
A. L. Allen	J. C. Flener	Wm. McRohan
S. E. Anderson	Duke W. Fowler	Clark Macdonald
W. B. Ardery	Chas. B. Fulton	J. L. Manning
W. O. Bach	J. B. Furlong	C. C. May
Walter J. Bailey	F. A. Gnau	Luther Morse
A. J. Baldridge	R. C. Graham	Henry Meiman
W. O. Baxter	W. T. Green	A. M. Mercer
T. H. Benton	E. L. Hagan	Harry J. Meyers
W. P. Bowman	A. L. Hall	E. B. Miller
Thos. L. Britton	John G. B. Hall	L. P. Murphy
W. G. Buckner	T. W. Hardesty, Jr.	James H. Muse
S. J. Bungler	Herman Handmaker	L. C. Nell
Sam P. Burnam	Brooks L. Hargrove	Andrew Nichols
E. L. Campbell	C. W. Hawkins	J. H. Payne
J. G. Campbell	J. R. Hobbs	Levi W. Powell
Chas. B. Carver	J. S. Hollan	J. G. Prather
Harry Cochran	H. B. Holland	W. H. Pryor
John Cooper	S. K. Holland	B. A. Robertson
J. O. Creech	Ira L. Horn	C. W. Ryans
C. B. Crossland	Robt. L. Horn	Charles Smith
J. R. Dorman	Josephus Howard	Daniel Boone Smith
E. J. Doss	W. F. Hunter	S. G. Smith
W. M. Duncan	Lester Jeter	M. E. Sparks
Thos. J. Dunn	T. M. Johnson	Dan Stamper
D. E. Edwards	John C. Kemper	Frank L. Strange
J. W. Edwards	John B. Klefot	J. G. Swearingen
J. O. Evans	Leon P. Lewis	Mac Swinford
Chas. H. Fair	Wm. McClave	J. B. Taylor

E. G. Thomas	J. C. Watkins	John S. Millikin
C. F. Thornton	L. M. Weathers	
P. H. Vincent	J. A. White	—94

Resolved that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Strange moved that the Rules be suspended and that the House take up for immediate consideration a bill entitled:

H. B. 384. An Act to create a State Commission, to be known as the Kentucky National Park Commission, prescribing the number of the members thereof, the Governor being ex-officio a member, and the payment of their expenses; providing for a director and assistants, and for their salaries; providing the Commission with the power to condemn lands for national park purposes as provided by law in the condemnation of lands for steam railroads, and designating the duties of the Attorney General, Commonwealth Attorney and County Attorney; investing the Commission with the power to purchase and acquire real estate and other kinds of property for national park purposes, and to hold, barter, sell and convey same for such purposes; providing for an appropriation not to exceed the sum of Thirty Thousand Dollars to be used for the purpose of carrying into effect the provisions of this Act; providing for the manner in which the expenses of the Commissioners, the salary of the Director and of his assistants, shall be paid; providing for the payment of expenses of condemnation proceedings and such other expenses necessary to convey to the United States Government for National Park purposes the property acquired under this Act; to empower the Commission to make, adopt and enforce rules

and regulations necessary to carry out the purposes of this Act; and declaring an emergency to exist.

Said motion was agreed to.

Thereupon the House took up for consideration from the Orders of the Day, the bill aforesaid.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created, as an agency of the Commonwealth of Kentucky, a corporation which shall be known and designated as the Kentucky National Park Commission, under which name it may sue and be sued, contract and be contracted with, and receive, take, preserve, hold, manage, barter and convey, lands, caves, cave rights, money and other property for National Park purposes.

§ 2. Said Commission shall be composed of six members to be appointed by the Governor, not more than three of whom shall be members of the same political party, and the Governor shall be ex-officio a member of said Commission. The appointive members shall serve for periods of two years, three of said members to be appointed at first for a period of two years, and the other three for a period of only one year, their successors then to be appointed for two years. The Commission shall elect one of its members chairman, another member vice-chairman, and another member secretary. The members of the Commisison shall receive no salaries, but their traveling and other necessary expenses incurred in attendance upon meetings, or while otherwise engaged in the performance of their duties, shall b paid. The Commission may employ a Director at a salary not exceeding four thousand (\$4,000.00) dollars annually, and such assistants as may be necessary, including clerical help.

§ 3. The purpose of the creation of this Commission is to further the establishment of a National Park or Parks in Kentucky whenever and wherever the Congress of the United States has provided or may provide for such park or parks, upon the conveyance to the Government of the United States of the designated or required quantities of lands or rights or estates therein. To accomplish this end, it will be the duty of the Commission to acquire lands, caves, cave rights, money and other property for the purpose of conveying same to the United States for the establishment of such National Park or Parks.

§ 4. This Commission shall have the power to acquire, purchase, accept and hold for the purpose mentioned in Section 3, any lands, caves, cave rights, or other real or personal property or estates or interests therein. It is further vested with the power of eminent domain to condemn, for the purpose of such National Park or Parks, land, caves, cave rights and other real and personal property or estates therein within such area or areas in the State of Kentucky as may have been or may be designated by the United States for the site or sites of such park or parks.

§ 5. The power of eminent domain hereby conferred shall be exercised in the same manner provided by the statutes of this Commonwealth for the exercise of such right by steam railroad companies, provided that no such condemnation proceeding shall involve the credit of the Commonwealth or impose upon it any liability or indebtedness for which express provision may not previously have been made.

§ 6. The Commisison shall have power and authority to receive and hold any property, money, or other gifts donated and accepted for the purpose of establishing such National Park or Parks, and to use in the purchase of lands or other real estate or interests therein needed for the proposed National Park or Parks such money or other gifts made to it, and to exchange, transfer, or sell and dispose of any land or other property so accepted by it, and to use the proceeds

or consideration so received in the purchase and acquisition of other land and real estate for National Park purposes. Said Commission shall have the further power to take over such assets as may be assigned to it by any private corporation which may have been or may be formed and conducted for the purpose of acquiring and establishing a National Park or Parks in Kentucky, and in particular said Commission shall have the right, and is hereby given the authority, to collect any contributions or subscriptions or other obligations so turned over to it, which remain uncollected, whether made directly to the Commission or acquired by assignment to it.

§ 7. The Commission is vested with power to give, grant, convey and transfer to the United States of America, for National Park purposes, all right, title, estate and interest which it may have or may hereafter acquire in land and other property within or adjoining any area in Kentucky that has been or may be designated by Congress for such proposed National Park or Parks; provided that any such grant or conveyance to the United States shall be made in consideration that the Government of the United States shall administer, protect and develop the property so granted or conveyed for National Park purposes, in accordance with federal laws regulating National Parks now in force or that may hereafter be enacted by Congress.

§ 8. The Commission is authorized and empowered to adopt and enforce all rules and regulations not inconsistent with this act, or the general law, for the proper administration and disposition of any property to which it may acquire title or over which it may gain control under the provisions of this act, previous to the transfer or conveyance thereof to the Government of the United States.

§ 9. Upon the request of the Chairman of the Commission, approved by the Governor, it shall be the duty of the Attorney General to act in his official capacity for and on behalf of the Commission in any matter or proceeding wherein his services may be necessary, and to furnish to the Commis-

sion his written advice and opinion touching any matter in, which the Commission, as such, may be properly interested, provided that the Attorney General if necessary shall have the right to request the employment of special counsel in the mode provided by law for the purpose of this section.

§ 10. When the Kentucky National Park Commission shall fail to agree with the owner as to the price of the land, caves, cave rights, and other real and personal property or estates or interests therein, within such area or areas in the State of Kentucky as has or have been or may be designated by the United States for the site or sites of such National Park or Parks, said Kentucky National Park Commission is hereby authorized to institute, in the name of the Commonwealth, any proceedings necessary in its opinion, in the county court of the county where such property or part of such property lies, for the purpose of condemning and taking from the owner or owners thereof, and fixing the damages to the owner or owners thereof, and the county attorney of the county wherein such proceedings are instituted, shall represent it. It shall be the duty of the commonwealth attorney of the district in which said proceedings are instituted to represent the Commonwealth in the event of an appeal to circuit court of any condemnation proceedings. But nothing herein contained shall be so construed as to deprive the Attorney General of supervisory control of said proceedings, or to force said Kentucky National Park Commission to take the property at the price fixed by the jury or judgment of the court in said proceedings.

§ 11. Both the property and the income of the Commission shall be exempt from taxation, State and local.

§ 12. The sum of fifteen thousand (\$15,000.00) dollars annually for a period of two years, or so much thereof as may be necessary, is hereby appropriated for the purpose of carrying into effect the provisions of this act. All expenditures from said fund authorized by the Commission shall be made upon vouchers approved and authenticated by the Director

and such member or members of the Commission as may be designated and thereunto authorized for the purpose by the Commission and shall be drawn upon the Auditor of Public Accounts, and vouchers for salaries shall be drawn monthly.

§ 13. If any section or provision of this act shall be held to be unconstitutional, the other sections or provisions of this act shall not be affected thereby.

§ 14. Whereas, at this time the State of Kentucky has no agency by which it can condemn, acquire, or convey to the United States Government, property for National Park purposes, and whereas this act will supply such an agency as soon as it becomes effective; and whereas it was on May 25, 1926, now twenty months ago, that the President of the United States approved a federal enactment providing for the establishment of a National Park in the State of Kentucky, the conditions of which have not been met by Kentucky, it is therefore declared that an emergency exists and this act shall take effect from and after its passage, and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. O. Baxter	E. L. Campbell
A. L. Allen	T. H. Benton	J. G. Campbell
S. E. Anderson	W. P. Bowman	Chas. B. Carver
W. B. Ardery	Thos. L. Britton	Harry Cochran
Walter J. Bailey	W. G. Buckner	John Cooper
A. J. Baldrige	Sam P. Burnam	J. O. Creech

C. B. Crossland	H. B. Holland	James H. Muse
J. R. Dorman	S. K. Holland	L. C. Nell
E. J. Doss	Ira L. Horn	Andrew Nichols
W. M. Duncan	Robt. L. Horn	J. H. Payne
Thos. J. Dunn	Josephus Howard	Levi W. Powell
J. W. Edwards	W. F. Hunter	J. G. Prather
J. O. Evans	Lester Jeter	W. H. Pryor
Chas. H. Fair	T. M. Johnson	B. A. Robertson
W. J. Fisher	John C. Kemper	C. W. Ryans
J. C. Flener	John B. Klefot	Charles Smith
Duke W. Fowler	J. Porter Land	S. G. Smith
Chas. B. Fulton	S. D. Laughlin	M. E. Sparks
J. B. Furlong	Leon P. Lewis	Dan Stamper
F. A. Gnau	Wm. McClave	Frank L. Strange
R. C. Graham	J. L. McKnight	J. G. Swearingen
W. T. Green	Wm. McRohan	Mac Swinford
E. L. Hagan	Clark Macdonald	J. B. Taylor
A. L. Hall	J. L. Manning	E. G. Thomas
John G. B. Hall	Luther Morse	C. F. Thornton
T. W. Hardesty, Jr.	C. C. May	P. H. Vincent
Herman Handmaker	Henry Meiman	J. C. Watkins
Brooks L. Hargrove	A. M. Mercer	L. M. Weathers
C. W. Hawkins	Harry J. Meyers	J. A. White
J. R. Hobbs	E. B. Miller	
J. S. Hollan	L. P. Murphy	

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There voted in the negative—

W. O. Bach

— 1

Resolved that the title thereof be as aforesaid.

Mr. Strange moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Fowler moved that when the hour of twelve o'clock Meridian arrive, that the House do then recess for one hour.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in this House, entitled:

H. B. 95. An Act to repeal, amend and re-enact sections 1 and 2 of chapter 11, of the Acts of 1896, approved March 17, 1896, for the protection of purchasers, lessees and encumbrances of real estate.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

And that they had passed bills which originated in that body of the following titles, viz.:

1. S. P. 111. An Act relating to the duties and compensation of Commonwealth's Attorney.

2. S. B. 128. An Act to enable cities of the second class to adopt and operate under the City Manager form of government, and amending section 3235a-3 of Carroll's Kentucky Statutes.

3. S. B. 162. An Act providing for a Memorial Bridge to Kentucky's ex-service men of all wars.

4. S. B. 163. An Act applying to cities of the fourth class and providing means by which any city of the fourth class may adopt the City Manager form of Government, etc.

Ordered that said bill be printed and referred:

1. To Committee on Circuit Courts.

2. To Committee on Cities of the 2nd and 3rd Class.

3. To Committee on Roads and Highways No. 1.

4. To Committee on Cities of the 4th Class.

Mr. Fowler moved that the Rules be suspended and that the House proceed to the introduction of bills and the report of the Standing Committees and continue under these two orders of business until same are completed.

Said motion was agreed to.

Thereupon the call of the Counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Fair:

H. B. 509. An Act establishing State Primary road project from Russell Springs, Russell County, Kentucky, to Irvine Store, Russell county, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 510. An Act establishing State Primary Road Project — from Jamestown, Russell county, Kentucky, to Lulu, Russell county, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 511. An Act establishing State Primary Road Project No. — from Jamestown, Russell county, Kentucky, to Jabez, Russell county, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 512. An Act establishing State Primary Road Project — from Sewelton, Russell county, Kentucky, to Creelsboro, Russell county, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Campbell:

H. B. 513. An Act providing an appropriation for the erecting and connecting up of a light and power line from Pembroke, Christian county, Kentucky, to the Jefferson Davis Monument and State Park at Fairview, Christian county, Kentucky.

To Committee on Public Utilities.

By Mr. Evans:

H. B. 514. An Act relating to the promotion of live stock industries; the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs; authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial, show and breeding purposes; describing certain privileges for hunting dogs, providing for listing of dogs by county tax commissioners and penalty for his failure to so list; etc.

To Committee on Agriculture.

By Mr. Creech:

H. B. 515. An Act to amend Section 1159, Kentucky Statutes, Carroll's 1922 edition, relating to burglary.

To Committee on Criminal Law.

By Mr. Graham:

H. B. 516. An Act to provide for the compilation annotation, indexing and publication of the Legislative Acts and Statutory Laws of Kentucky; authorizing and directing the Court of Appeals to appoint a Commission to compile, annotate and index said laws under the supervision and direction of said court, and to employ necessary stenographic and clerical help to assist the Commission in said work; providing for the publication, distribution and sale of said laws when the work of the commission is completed and accepted by the court; and making an appropriation to carry out the provisions of this act.

To Committee on Kentucky Statutes.

By same:

H. B. 517. An Act to amend Section 4683, Kentucky Statutes, Carroll's edition, and being a portion of Session Acts of 1893, by striking from said section the following words and figures, fifteen hundred dollars (\$1,500.00), and inserting the words twenty-five hundred dollars (\$2,500.00). An emergency declared to exist.

To Committee on Kentucky Statutes.

By Mr. Hargrove:

H. B. 518. An Act to amend and re-enact Section 4019a-5 Kentucky Statutes, Baldwin's 1926 Supplement, being Section 7 of Chapter 116 of the Acts of the General Assembly of 1924, relating to tax on live stock and domestic fowls.

To Committee on Agriculture.

By Mr. Hagan:

H. B. 519. An Act amending subsection 1 of section 492 of the Kentucky Civil Code of Practice to authorize sales of property held for twenty years after the execution of the deed or the probation of the will which forbids a sale, where such changes shall have occurred in the value or the condition of the property as to make a sale and reinvestment of the proceeds materially beneficial to the owners and for the appointment of a trustee to conserve and reinvest such proceeds of sale under the direction of the court.

To Committee on Codes of Practice.

By Mr. Gnau.

H. B. 520. An Act to repeal chapter 68 of the Acts of the General Assembly of 1924 entitled: "An Act to repeal sections 1 to 10, inclusive, of an act entitled, 'An Act to further regulate the Bureau of Agriculture, Labor and Statistics,' " approved March 17, 1902, as amended by an act entitled, "An Act to amend an Act, 'An Act to further regulate the Bureau of Agriculture, Labor and Statistics,' " approved March 17, 1902, and being section 33a of the Kentucky Statutes, which was approved March 15, 1912, and being section 33a of the Kentucky Statutes, Carroll's edition of 1922; etc.

To Committee on Agriculture.

By Mr. Lewis:

H. B. 521. An Act to provide for the organization, regulation and government of the State Bar and to provide for the regulation, discipline and disbarment of attorneys-at-law.

To Committee on Kentucky Statutes.

By Mr. Lewis.

H. B. 522 An Act relating to registration for elections in cities and towns of the first class and repealing, in so far as and to the extent that same relates to and governs registration for elections in cities and towns of the first class, an act entitled, "An Act relating to registration for elections in cities and towns having a population of 5,000 inhabitants or more," approved March 21, 1925, being Chapter 64 of the Acts of 1924, and repealing as much of section 1487 of Kentucky Statutes as provides that officers of elections in cities of the first class shall be officers of registration.

To Committee on Suffrage and Elections.

By Mr. Ryans:

H. B. 523. An Act giving the father and mother equal rights to the services and earnings of their minor children and to maintain actions for loss of the same.

To Committee on Juvenile Courts and Children's Home.

By Mr. Dorman:

H. B. 524. An Act to repeal and re-enact section 11 of chapter one hundred fourteen of the Acts of 1922, being now section 4114i-11 of the Kentucky Statutes, Carroll's edition of 1922, relating to revenue and taxation, and defining duties of the State Tax Commission. Approved March 19, 1926.

To Committee on Revenue and Taxation No. 1.

By same:

H. B. 525. An Act making an appropriation for the purpose of erecting a monument in the Manassas Battlefield Confederate Park in the State of Virginia to the memory of the soldiers who wore the blue and the gray, who fell in the two battles fought on said battlefield.

To Committee on State Property.

By same:

H. B. 526. An Act relating to the Primary System of Roads in Kentucky and connecting the county seats of Garrard, Mercer and Jessamine counties.

To Committee on Roads and Highways No. 2.

By Mr. Meyers:

H. B. 527. An Act entitled an Act that has for its purpose a bond or insurance for all automobile drivers and to regulate the driving of motor vehicles and prohibiting the drivers of motor vehicles to partake of spirituous, vinous or malt liquors or to drive in an intoxicated condition and to provide a penalty for the violation thereof.

To Committee on Motor Transportation.

By same:

H. B. 528. An Act to repeal and re-enact section 4356t-10 Kentucky Statutes, Baldwin's 1926 Supplement to Carroll's 1922 edition, being chapter 147 of the Acts of the General Assembly of 1924.

To Committee on Public Bridges and Ferries.

By same:

H. B. 529. An Act to amend and re-enact section 2326, Kentucky Statutes, Carroll's 1915 edition.

To Committee on Cities of Second and Third Class.

By same:

H. B. 530. An Act to amend and re-enact section 3587a-20 Kentucky Statutes, Carroll's 1922 edition, relating to improvement bonds for building sites, improvements, etc.; popular election; territory of district located outside of city; tax to pay bonds.

To Committee on Cities of Second and Third Class.

By same:

H. B. 531. An Act entitled an act to regulate lights on motor driven vehicles and defining the duties and conditions of drivers thereof, and providing a penalty for the violation thereof.

To Committee on Motor Transportation.

By Mr. Meiman:

H. B. 532. An Act to amend section 2 of an act entitled: "An Act relating to the creation of water districts in counties of the State, and providing for the establishment, construction, or purchase of a water system, for the purpose of furnishing water to the inhabitants thereof; providing for the appointment of commissioners and prescribing their duties and providing for the payment of officers and employees. The issuing and selling of district bonds with which to secure funds to defray the costs and expenses of any such improvements,

repealing an act entitled an act "providing for the creation of water districts, etc.," approved March 27, 1926, and further relating to the appointment and salaries of water district commissioners.

To Committee on County and City Courts.

By Mr. Howard:

H. B. 533. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of roads and highways.

To Committee on Roads and Highways No. 3.

By same:

H. B. 534. An Act regulating railroads and common carriers and providing for the regulation of their employees in riding cars over humps and further providing for penalties for violations thereof.

To Committee on Railroads.

By Mr. McKnight:

H. B. 535. An Act to establish state primary road project No. — from Brodhead, Rockcastle county, Kentucky, via Hyatt, to Conway, in Rockcastle County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Crossland:

H. B. 536. An Act to amend chapter 77 of the Acts of the General Assembly of 1926, same being an act to create a State Textbook Commission and prescribe its duties, repeal-

ing, amending and re-enacting the following sections of said act: (1) & 2, relating to selection of members and eligibility for membership; (2) & 6, providing for textbook adoption to be uniform throughout the State, etc.

To Committee on Education No. 1.

By same:

H. B. 537. An Act to amend and re-enact section 1 of chapter 15 of the Session Acts of the General Assembly of 1920, entitled: "An Act to appropriate Five Thousand Dollars annually for the use and benefit of the Kentucky State Horticultural Society to be used for the purpose of fostering and encouraging the horticultural interests in the State." Approved March 13, 1920, and which is section 42e-1 of Kentucky Statutes.

To Committee on Appropriations No. 1.

By Mr. Bunger:

H. B. 538. An Act relating to roads and highways and establishing and creating a road project No. — extending from a point on project No. 8 at or near Nick Mills in Meade county to a point on project No. 198, or to project No. 8 in Meade county as a State Primary Road.

To Committee on Roads and Highways No. 3.

By Mr. Miller:

H. B. 539. An Act to amend section 138, Carroll's edition of Kentucky Statutes, being Section 2 of Chapter 154, Session Acts 1893, by striking out two thousand dollars in said section and inserting in lieu thereof two hundred thousand dollars, and by striking out two thousand dollars per annum, and

inserting in lieu thereof, "to be fixed by the auditor," and striking from said section, "and the further sum of thirteen thousand seven hundred dollars is hereby allowed to the auditor, annually, to enable him to employ and pay such clerks as he may deem necessary for the purpose of discharging the business of his office."

To Committee on Kentucky Statutes.

By Mr. Cooper:

H. B. 540. An Act to amend sections 272, 173, 276, and 286 of the Civil Code of Practice, relating to injunctions, by adding to section 272 a provision concerning industrial disputes; by adding to section 273 a provision concerning industrial disputes; by adding to section 276 a provision excepting injunctions in industrial disputes governed by section 272; by adding to section 286 the words, "saving to the defendant the right to demand and have the fact of disobedience tried by jury."

To Committee on Codes of Practice.

By same:

H. B. 541. An Act requiring Steam Railroad Companies operating lines in and through the Commonwealth to construct and maintain car sheds at those places where ten or more mechanics are engaged in car repairing; and providing penalties for the violation of this act.

To Committee on Railroads.

By Mr. Doss:

H. B. 542. An Act relating to Roads and Highways. An Act adding to the Primary Road System the road from intersection of Benson road and U. S. No. 60 up Benson road to

Bagdad-Paytona road to Paytona, to be known as Primary Road Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Manning:

H. B. 543. An Act to exempt all male citizens over 60 years of age from paying poll tax in this Commonwealth.

To Committee on Revenue and Taxation No. 2.

By Mr. Nell:

H. B. 544. An Act entitled an act to establish and create a road leading from Gradyville, Adair county, Kentucky, to a point on Project No. — leading from Greensburg, Green county, to Edmonton, Metcalfe county, Ky.

To Committee on Roads and Highways No. 3.

By Mr. Fisher:

H. B. 545. An Act to amend and re-enact sec. 4122 Ky. Statutes, 1922 edition, relating to the duties of the County Board of Supervisors.

To Committee on County and City Courts.

By Mr. Vincent:

H. B. 546. An Act appropriating money for the building and maintenance of a 100-bed hospital for the care of indigent tuberculous Kentucky citizens.

To Committee on Appropriations No. 1.

By Mr. Alcock:

H. B. 547. An Act to amend section 1 of chapter 111, Acts of General Assembly of 1926, said section being section 1 of an Act entitled, "An Act providing for registration fees and regulation of motor vehicles classed as trucks and providing penalties for violations of its provisions and repealing all conflicting laws."

To Committee on Motor Transportation.

By same:

H. B. 548. An Act relating to the business of hauling goods, wares, merchandise and personal property for hire.

To Committee on Motor Transportation.

By Mr. J. S. Hollan:

H. B. 549. An Act to amend and re-enact subsections a, b and c of section 4, chapter 32 of the 1924 Session Acts of the General Assembly of the Commonwealth of Kentucky relating to and fixing the time of holding court in the 36th Judicial District, composed of Breathitt, Wolfe and Magoffin.

To Committee on Circuit Courts.

By Mr. Cochran:

H. B. 550. An Act establishing a road beginning at the dividing line between Bullitt and Jefferson counties, near the point where the Louisville and Nashville Railroad crosses said line, etc.

To Committee on Roads and Highways No. 3.

By Mr. Helf:

H. B. 551. An Act to amend and re-enact section 1720, Kentucky Statutes, 1922, relating to fees.

To Committee on Circuit Courts.

By Mr. J. G. B. Hall:

H. B. 552. An Act to repeal and re-enact section 33 of chapter 112 of Acts of 1918 entitled, "An Act to promote and protect live stock industry in Kentucky," being section 68d-33, Kentucky Statutes, Carroll's Sixth Edition, 1922.

To Committee on Agriculture.

The hour of twelve o'clock having arrived, the House recessed for one hour.

The hour of one o'clock having arrived, the Speaker resumed the chair and called the House to order.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Gnau of the Committee on Cities of the 1st Class:

H. B. 411. An Act providing for the construction and reconstruction of sidewalks along or over any boulevards, parkways, avenues, driveways, or other public park property which are under the control of the board of park commissioners in cities of the first class; providing the manner in which such construction shall be made under the supervision of the board of public works and prescribing the method by which the cost thereof shall be apportioned against contiguous property.

By Mr. Graham of the Committee on Claims:

S. Res. 2. Resolution authorizing A. J. Bush to sue the Commonwealth of Kentucky.

By Mr. Buckner of the Committee on Confederate Home:

H. B. 128. An Act to repeal and re-enact sections 6 and 15 of an Act to repeal and re-enact an Act entitled, "An Act granting pensions to indigent and disabled Confederate soldiers," which act became a law March 11, 1912, and which act repealing and re-enacting it was chapter 22b, Acts of 1914, page 115, and said sections 6 and 15 of the 1914 re-enacted act are now sections 415b-6 and 415b-15 of the present 1922 edition of the Kentucky Statutes.

H. B. 287. An Act to amend sections 1 and 2 of chapter 121 of the Acts of the General Assembly of 1918, relating to the granting of pensions to indigent and disabled Confederate soldiers.

Without an expression of opinion as to the last above named bill.

By Mr. Johnson of the Committee on Court of Appeals:

S. B. 120. An Act to repeal and re-enact sections 112-3 and 112-4 of the 1926 Supplement to Carroll's Kentucky Statutes, 1922 edition, being chapter 23 of the Acts of the General Assembly of 1924, relating to the office of Attorney General, providing for six assistant attorneys general, fixing the qualifications and salaries of said assistants, and providing for their expenses when called on business from the Capitol; and further providing for clerical and stenographic employees and their compensation.

By Mr. Prather of the Committee on Education No. 1:

H. B. 6. An Act creating a State Board of Education and prescribing its powers and duties.

Without an expression of opinion as to the last above named bill.

By Mr. Evans of the Committee on Forestry:

H. B. 448. An Act providing that money appropriated by Congress under the "forest reserve act" shall be paid to the State Auditor; duty of county treasurer in regard to forest reserve land; etc.

By Mr. Doss of the Committee on Insurance, Life and Casualty:

H. B. 70. An Act to amend and re-enact section 4 of chapter 62 of the Acts of the General Assembly of 1914, relating to insurance policies and certificates, being section 679 of Carroll's Kentucky Statutes, 1922 edition.

With a Committee amendment thereto by way of substitute therefor.

By Mr. Hawkins of the Committee on Motor Transportation:

H. B. 366. An Act authorizing the Commissioner of Motor Transportation to credit the pro rata part of the unearned portion of license fees on motor vehicles used for transporting passengers for hire on the purchase of new license tags when any such motor vehicle has been destroyed by fire or other casualty and permanently withdrawn from use on the public highways.

By Mr. Howard of the Committee on Public Health:

S. B. 113. An Act to require the use of a suction or exhaust system upon polishing and grinding machinery to safeguard the health of workers, providing for enforcement and violation of this Act.

By Mr. Bailey of the Committee on Railroads:

H. B. 264. An Act amending and re-enacting section 786 of Carroll's Kentucky Statutes of 1922, relating to signals required to be given by railroads at highway crossings and prescribing a penalty for violation of the provisions.

H. B. 404. An Act to amend and re-enact section 201e-23 of the 6th edition of Kentucky Statutes, 1922, edited by John D. Carroll, and which is section 23 of chapter 61 of the Acts of the 1920 session of the General Assembly of the Commonwealth of Kentucky, relating to the powers and duties of the Railroad Commission.

By Mr. Dorman of the Committee on Revenue and Taxation No. 1:

H. B. 200. An Act to amend section 3 of chapter 11, page 31 of the Acts of the General Assembly, 1918, entitled: "An Act to abolish the Assessor's office, etc."

With a Committee amendment thereto by way of substitute therefor.

H. B. 428. An Act to amend and re-enact sections 4130, 4135, 4143, 4146, 4147, 4148, 4151, subsection 2, and 4250 of the Kentucky Statutes, John D. Carroll's edition 1925, as amended by chapter 175 of the 1926 Acts of the General Assembly of the Commonwealth of Kentucky, all relating to revenue and taxation.

H. B. 431. An Act relating to revenue and taxation, providing for a license tax on certain businesses or occupations, and repealing existing statutes.

By Mr. Miller of the Committee on State Fair:

H. B. 358. An Act to regulate the standing of male animals for public service, specifying the blood lines of same, etc.

With a Committee amendment thereto by way of substitute therefor.

S. B. 47. An Act authorizing and empowering the State Board of Agriculture to anticipate the receipts and borrow money for the current expenses of the Kentucky State Fair.

By Mr. Klefot of the Committee on Suffrage and Elections:

H. B. 163. An Act relating to general elections and amending chapter 1482a Kentucky Statutes, by striking therefrom the words "to burn and destroy unused ballots."

With the expression of opinion that said bills ought to pass, with the exceptions above indicated.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 312. An Act providing for the quarantine and control of the European Corn Borer; imposing certain powers and duties on the Department of Agriculture; providing penalties.

H. B. 417. An Act requiring non-resident sellers of fruit trees, vines, shrubs or plants to execute bond as to type of same and their freedom from certain diseases, etc.

H. B. 380. An Act entitled an Act that has as its purpose the protection of road and farm machinery, tools and implements that are left in fields or on the side of the highway; and providing penalties for the violation thereof.

H. B. 207. An Act to amend section 3 of chapter 4 of the Acts of 1892, approved April 2, 1892, said section being section 33 of Kentucky Statutes (Carroll's 1915 edition); further defining the duties of the Commissioner of Agriculture, Labor and Statistics.

H. B. 317. An Act to amend section 1246, subsection 1, Kentucky Statutes, Carroll's edition, relating to sale of animals, etc.

H. B. 409. An Act to amend and re-enact section 2906 Kentucky Statutes (Carroll's 1922 edition) relating to the office of assessor in cities of the first class and his deputies and assistants and providing that from and after the expiration of the term of office of the present city assessor in same cities the city assessor shall cease to be elected by the city council, etc.

H. B. 402. An Act to amend, revise and re-enact para. 2a of section 67 and sections 136 and 160 of an Act relating to and amending the charter of cities of the first class, the short title of which is City Government Bill, Cities of the First Class, approved March 22, 1926, and being chapter 115 of the Acts of the General Assembly for 1926.

H. B. 152. An Act providing for the taking of the sense of the people of the State as to the necessity and expediency

of calling a Convention for the purpose of revising or amending the Constitution of the Commonwealth, and such amendments as may have been made to same as provided by section 258 of the present Constitution of Kentucky.

H. B. 212. An Act relating to the fiscal administration of counties; providing for a uniform budget system in each county of the Commonwealth of Kentucky, for the administration of the fiscal affairs of counties; prescribing the duties of the county judge, county court clerk, county treasurer, county attorney, and other officers with reference thereto; creating a county budget commission, and prescribing its duties; amending sections 929, 934 of Kentucky Statutes, 1915, Carroll's edition, as amended by sections 929 and 934 of chapter 153 of Acts of 1920 session of the General Assembly of the Commonwealth of Kentucky, etc.

H. B. 365. An Act defining and prescribing the jurisdiction of justices and quarterly courts and of judges of police courts in cities of the 1st, 2nd, 3rd and 4th class in this Commonwealth in penal and misdemeanor cases.

H. B. 263. An Act to amend and to re-enact section 1763, Kentucky Statutes, Carroll's edition, 1915.

H. B. 400. An Act to amend and re-enact chapter 95, Carroll's Kentucky Statutes, sixth edition, 1922.

H. B. 248. An Act relating to Education in this Commonwealth; appropriating money from the general fund of the Treasury of the Commonwealth to be used for educational purposes in connection with the public school system of this Commonwealth and conferring authority and power upon the State Board of Education upon the recommendation of the Superintendent of Public Instruction to supervise and administer the expenditure of the money appropriated; defining the

purposes for which the money so appropriated shall be used and providing conditions upon which it shall be received, conferring upon the State Board of Education upon the recommendation of the Superintendent of Public Instruction the power and authority to prescribe rules and regulations for the administration and the use and expenditure of the money so appropriated; and generally to provide for a better system of public schools in this Commonwealth.

H. B. 34. An Act to provide for and to authorize the refund and repayment of motor vehicle license fees, when such motor vehicle has been burned, junked, stolen or otherwise made useless to the owner thereof, or sold out of the State.

With an amendment thereto.

S. B. 43. An Act exempting persons from road duty in any one year by paying to the county road funds the sum of ten dollars.

H. B. 388. An Act authorizing the State Highway Commission to employ convict labor in constructing and maintaining roads and bridges and in working in quarries, preparing materials for roads and bridges; to open, equip and operate stone quarries; to arrange for transporting road materials by river and land; for constructing barricades for safe keeping of prisoners, and housing quarters for same, etc.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Charlie Smith moved that the Rules be suspended and that a bill entitled:

H. B. 73. An Act requiring owners or operators of coal mines, steel mills, foundries, machine shops and other like businesses, where 15 or more men are employed, to provide wash rooms for employees and provide penalties for failure so to do, and provide for inspection, maintenance, and regulation of such wash rooms.

Be made a Special Order for next Wednesday, February 15, at eleven o'clock A. M.

Said motion was disagreed to.

Mr. Gnau moved that a bill entitled:

H. B. 59. An Act in relation to the practice of barbering, requiring the registration of barbers and apprentices, defining the practice of barbering and apprentices, setting out the exemptions to this Act, setting up the qualifications for certificates of registration as registered barbers and apprentices, establishing a minimum standard of professional education for barbers, etc.

Be read at length the first time, the report of the Committee to the contrary notwithstanding.

Said motion was disagreed to.

And so said bill was rejected.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 115. An Act relating to revenue and taxation in municipal corporations of the first class and in cities of the

first class, providing that no municipal corporation of the first class or city of the first class shall impose a license, excise or privilege tax upon any person, firm or corporation for the privilege of operation of motor vehicles.

Said bill is as follows, viz.:

Be it enacted by the Geenral Assembly of the Commonwealth of Kentucky:

No municipal corporation of the first class or city of the first class shall impose on any person, firm or corporation any license, excise or privilege tax for the privilege of operating a motor vehicle within such municipal corporation of the first class or city of the first class.

All laws or acts or parts of laws or acts in conflict herewith are hereby repealed.

Mr. Crossland offered the following amendment to said bill, viz.:

Amend H. B. 115 by inserting in line 1, after the words "municipal corporation of the first class" the words "or second class" and after the words "city of the first class" the words "or second class."

Said amendment was agreed to.

Mr. Graham offered the following amendment to said bill, viz.:

Amend H. B. 115 after the words "second" wherever they occur the words "third class."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. B. Furlong	Leon P. Lewis
W. O. Baxter	F. A. Gnau	C. C. May
S. J. Bunger	R. C. Graham	Henry Meiman
E. L. Campbell	E. L. Hagan	A. M. Mercer
Chas. B. Carver	C. W. Hawkins	L. P. Murphy
Harry Cochran	J. R. Hobbs	Andrew Nichols
C. B. Crossland	J. S. Hollan	J. H. Payne
E. J. Doss	H. B. Holland	J. G. Prather
Thos. J. Dunn	Robt. L. Horn	Charles Smith
J. W. Edwards	John B. Klefot	Mac Swinford
J. O. Evans	J. Porter Land	P. H. Vincent
Duke W. Fowler	S. D. Laughlin	L. M. Weathers

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Those who voted in the negative were—

A. L. Allen	Virgil Eversole	J. L. Manning
S. E. Anderson	Chas. H. Fair	Luther Morse
W. B. Ardery	W. J. Fisher	James H. Muse
W. O. Bach	W. T. Green	Levi W. Powell
Walter J. Bailey	John G. B. Hall	W. H. Pryor
A. J. Baldridge	Herman Handmaker	C. W. Ryans
W. P. Bowman	Ira L. Horn	S. G. Smith
Thos. L. Britton	W. F. Hunter	Dan Stamper
W. G. Buckner	John C. Kemper	Frank L. Strange
Sam P. Burnam	Wm. McClave	J. G. Swearingen
J. G. Campbell	J. L. McKnight	J. B. Taylor
John Cooper	Wm. McRohan	E. G. Thomas
J. O. Creech	Clark Macdonald	J. C. Watkins

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Mr. Ryans moved that the vote by which said bill was rejected, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed the following resolution which originated in that body, viz.:

Joint resolution providing for an adjournment of the General Assembly from February 9 to February 14, at 1 p. m.

Whereas, it is provided under our law that if any holiday shall occur on Sunday, the next day thereafter shall be observed as a holiday; and,

Whereas, February 12th is Lincoln's Birthday and under our law a holiday, and said 12th of February occurring on Sunday,

Therefore Be It Resolved By The General Assembly Of The Commonwealth of Kentucky:

That when the General Assembly adjourns today, it adjourn to meet February 14, 1928, at 1 o'clock P. M.

Mr. Prather moved that said resolution be laid on the table.

Said motion was agreed to.

Mr. Edwards moved that the Rules be suspended and that the House take up for immediate consideration from the Clerk's desk, a bill entitled:

H. B. 140. An Act amending and re-enacting section 13 of an Act entitled "An Act defining boundaries for school districts embracing cities of the 4th class, and providing systems of schools in such districts, providing for the election thereof, defining their powers and duties and repealing all laws in conflict, etc.

With Committee Amendments thereto.

Said motion was agreed to.

Said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 13 of an act entitled, "An Act defining boundaries for school districts embracing cities of the fourth class and providing systems of schools in such districts and creating boards of education for such districts, providing for election thereof, defining their power and duties and repealing all laws in conflict herewith," which was approved by the Governor on March 13, 1920, and became a law and is now Section 3587a-13 of Carroll's 1922 edition of Kentucky Statutes, be, and the same is hereby amended and re-enacted so that when amended and re-enacted said section will read as follows:

The board of education shall appoint a superintendent of schools whose term of office shall begin July 1st following his appointment, and who shall serve for a term of not more than four years. He shall be eligible to succeed himself. He may be removed by four members of the board for cause, and the vacancy thus created shall be filled by the board only until the first day of the July following, when the temporary incumbent or some other person shall be appointed for a term of not more than four years as hereinbefore provided. The board of education may, on the nomination of the superintendent of schools, appoint as many assistant superintendents as it may deem necessary, whose compensation shall be fixed by the board and who may be removed for cause by the superintendent, with the approval of four members of the board.

The superintendent of schools shall qualify by taking the oath prescribed by law, and shall have general supervision, subject to the control of the board, of the course of instruction, discipline and conduct of the schools, text books and stud-

ies; and all appointments, promotions, dismissals and transfers of teachers and truant officers and introduction and change of text books and apparatus shall be made only upon the recommendation of the superintendent with the approval of the board.

The superintendent shall have the power to suspend any teacher, pupil or truant officer for cause deemed by his sufficient, and the board of education shall take such action upon the restoration or removal of such person as it may deem proper. All appointments and promotion of teachers shall be made upon the basis of merit, to be ascertained as far as practicable, in cases of appointment by examination and in case of promotion by length and character of service. The Board of education may recognize state diplomas, state certificates, or state university and normal school certificates which are valid under the general school laws. The superintendent of schools shall devote himself exclusively to the duties of his office and shall have power to appoint clerks whose number and salary shall be fixed by the board; and shall have the power to remove the same; shall exercise general supervision over the schools of the city, examine their condition and progress, and shall keep himself informed of the progress of education in other cities. He shall advise himself of the needs of extension of the school system of the city, shall make a report from time to time as may be fixed by the rules or directed by the board, and shall be responsible to the board for the condition of the instruction and discipline of the school. The term "teacher" as used herein shall include supervisor, supervising principals, and principals.

All laws in conflict herewith are hereby repealed.

Said Committee Amendments are as follows, viz.:

Amend H. B. 140 in line 12 by striking out the words "who shall serve for a term of not more than four years" and insert in lieu thereof the following: "shall be for a time not

exceeding four years to be determined by the board at the time of his appointment."

Amend H. B. 140 in line 14 after the word "and" by striking out the words "the vacancy thus created shall be filled by the board only until the first day of July following" and insert in lieu thereof the following: "all vacancies shall be filled by the board until the first day of July following."

Said Amendments as offered by the Committee were agreed to.

Mr. Edwards offered the following amendment to said bill, viz.:

Amend H. B. 140 by striking out all of lines 22 to 37 inclusive and inserting in lieu thereof the following:

"The superintendent of school shall qualify by taking the oath prescribed by law, and shall have general supervision, subject to the control of the board, of the course of instruction, discipline and conduct of the schools. All appointments, promotions, dismissals and transfers of teachers and truant officers shall be made only upon the recommendation of the superintendent and with the approval of the board. The superintendent shall have the power to suspend any teacher, pupil or truant officer for cause deemed by him sufficient, and the Board of Education shall take such action upon the restoration or removal of such person as it may deem proper. All appointments and promotion of teachers shall be made upon the basis of merit."

Mr. Cooper moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 8. An Act to amend and re-enact Sections 3643-1, 3643-2, 3643-3 and 3643-13, of the Kentucky Statutes, Carroll's Edition, 1915, and as re-written in the 1922 Edition, authorizing and empowering the City Council of cities of the 5th class to regulate the improvement of sidewalks, curbing, sewers, streets, avenues, highways and public places of said towns.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sections 3643-1, 3643-2, 3643-3 and 3643-13 of the Kentucky Statutes 1915 and as re-written in 1922 authorizing and empowering the cities of the fifth class to order work to be done upon sidewalks, curbing, sewers, street highways, avenues and public places of said towns, be amended and re-enacted so that said act, when amended and re-enacted will read as follows:

§ 2. Section 3643-1. The city council is hereby authorized and empowered to order any work that they may deem necessary to be done in constructing, laying and repairing sidewalks, curbing, streets, avenues, highways, public places, water-mains and sewers and all connections with such water-mains and sewers of said city. The expense incurred in making and repairing sidewalks and curbing shall be paid by the owners of the lands fronting and abutting thereon, if the Board of Council so order, each lot or portion of lot being separately assessed for the full value thereof in proportion to the frontage thereof to the entire length of the whole improvement not exceeding a square, sufficient to cover the total expense of the work, but the owners of such property shall have the right to make such improvement, if they prefer doing so instead of paying for the same.

The cost and expense incurred in constructing, reconstructing and laying sidewalks, curbing, streets, avenues, highways, public places, sewers, water-mains and connections with sewers and water-mains shall be paid out of the general fund of the town, or by the owners of lands fronting and abutting thereon, as the Board of Council may in each case determine; or the said council may order and direct that two-thirds only of said costs and expense so incurred shall be paid by the owners of the lands fronting and abutting said improvements and the other one-third paid the city, but the local assessment, therefor, shall not exceed fifty per centum of the value of the ground after such improvement is made, excluding the value of buildings and other improvements upon the property so improved. Provided that an additional One Dollar (\$1.00) per front and abutting foot may be assessed for the constructing and laying of water-mains as provided herein.

Each subdivision or territory bounded on all sides by principal streets shall be deemed a square. When the territory contiguous to any public way is not defined into squares on either or both sides by principal streets the ordinance providing for the improvement for such public ways shall be the depth on the side or sides not defined in the square fronting said improvement, to be assessed for the cost of making the same, according to the number of square feet owned by the parties, respectively, within the depth set out by ordinance.

§ 3. Section 3643-2. Whenever the City Council shall determine upon the construction or reconstruction or laying of streets, avenues, highways, public places, sewers, water-mains, and connections, and at the expense of the abutting property as provided in Article 1, of this act, they shall cause the same to be done as follows:

The ordering of such improvement shall be by ordinance of the city council, and the contract therefor shall be awarded to the lowest and best bidder after proper advertisement for bids. The city council shall require the accepted bidder to

execute a bond to the city with good and sufficient security to be approved by said council for the faithful performance of his contract.

§ 3. Section 3643-3. The original construction or reconstruction or laying of any streets, avenues, highways, alleys, public places, sewers, water-mains or connections may be made at the exclusive cost of the owners of the lots or parts of lots or lands fronting or abutting or bordering upon the proposed improvement to be equally apportioned by the city council according to the number of front feet owned by them respectively or in part at the cost of the owners and in part at the cost of the city, as provided in Section 3643-1, upon the petition of the majority of the property owners of lots or parts of lots or land abutting or bordering upon the proposed improvement; or the city council may cause same to be done without such petition upon the vote of four members-elect of said council at a regular meeting thereof, or the council may by a majority vote of any regular meeting thereof, cause any such improvement be made upon the ten-year bond plan as hereinafter provided.

§ 4. Section 3643-13. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. J. S. Hollan moved that when the matter under consideration be disposed of that this House stand adjourned.

Said motion was agreed to.

Mr. Nichols moved that the aforesaid bill be laid upon the Clerk's desk.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Chas. B. Fulton	Henry Meiman
A. L. Allen	J. B. Furlong	A. M. Mercer
S. E. Anderson	F. A. Gnau	E. B. Miller
W. B. Ardery	E. L. Hagan	L. P. Murphy
W. O. Bach	John G. B. Hall	James H. Muse
Walter J. Bailey	Herman Handmaker	Andrew Nichols
A. J. Baldrige	Brooks L. Hargrove	J. H. Payne
W. O. Baxter	C. W. Hawkins	J. G. Prather
W. P. Bowman	Phillip Helf	W. H. Pryor
Thos. L. Britton	J. R. Hobbs	B. A. Robertson
W. G. Buckner	J. S. Hollan	C. W. Ryans
S. J. Bunger	H. B. Holland	S. G. Smith
Sam P. Burnam	S. K. Holland	M. E. Sparks
Chas. B. Carver	Josephus Howard	Dan Stamper
Harry Cochran	W. F. Hunter	Frank L. Strange
J. O. Creech	John C. Kemper	J. G. Swearingen
C. B. Crossland	John B. Klefot	Mac Swinford
J. R. Dorman	J. Porter Land	J. B. Taylor
E. J. Doss	Leon P. Lewis	E. G. Thomas
Thos. J. Dunn	Wm. McClave	C. F. Thornton
J. W. Edwards	J. L. McKnight	P. H. Vincent
J. O. Evans	Wm. McRohan	J. C. Watkins
W. J. Fisher	J. L. Manning	L. M. Weathers
J. C. Flener	Luther Morse	J. A. White
Duke W. Fowler	C. C. May	

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Those who voted in the negative were—

W. T. Green	Clark Macdonald	Charles Smith
T. W. Hardesty, Jr.	L. C. Nell	

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Resolved that the title thereof be as aforesaid.

Mr. Ardery moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

And then the House stood adjourned until tomorrow morning at 10 o'clock.

FRIDAY, FEBRUARY 10, 1928.

The House was opened with prayer by the Reverend Hampton Adams of the First Christian Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	C. B. Crossland	A. L. Hall
A. L. Allen	J. R. Dorman	John G. B. Hall
S. E. Anderson	E. J. Doss	Herman Handmaker
W. B. Ardery	W. M. Duncan	Brooks L. Hargrove
W. O. Bach	Thos. J. Dunn	C. W. Hawkins
Walter J. Bailey	D. E. Edwards	Joseph M. Hayse
A. J. Baldridge	J. W. Edwards	Phillip Helf
W. O. Baxter	J. O. Evans	J. R. Hobbs
T. H. Benton	Virgil Eversole	J. S. Hollan
W. P. Bowman	Chas. H. Fair	S. K. Holland
Thos. L. Britton	W. J. Fisher	Robt. L. Horn
W. G. Buckner	J. C. Flener	W. F. Hunter
S. J. Bunger	Duke W. Fowler	Lester Jeter
Sam P. Burnam	Chas. B. Fulton	T. M. Johnson
E. L. Campbell	J. B. Furlong	John C. Kemper
J. G. Campbell	F. A. Gnau	John B. Klefot
Chas. B. Carver	R. C. Graham	J. Porter Land
Harry Cochran	W. T. Green	S. D. Laughlin
John Cooper	E. L. Hagan	Leon P. Lewis

Wm. McClave	L. C. Nell	M. E. Sparks
J. L. McKnight	Andrew Nichols	Dan Stamper
J. L. Manning	J. H. Payne	Frank L. Strange
Luther Morse	Levi W. Powell	J. G. Swearingen
C. C. May	J. G. Prather	J. B. Taylor
Henry Meiman	W. H. Pryor	E. G. Thomas
A. M. Mercer	B. A. Robertson	C. F. Thornton
Harry J. Meyers	C. W. Ryans	P. H. Vincent
E. B. Miller	Charles Smith	J. C. Watkins
L. P. Murphy	Daniel Boone Smith	L. M. Weathers
James H. Muse	S. G. Smith	J. A. White

Mr. Meyers moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Gnau moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman moved that when the House adjourned today, it adjourn to meet again on Tuesday, February 14, at ten o'clock A. M.

Said motion was agreed to.

Mr. Laughlin offered the following resolution, viz.:

Whereas, the Commonwealth of Kentucky, during the last calendar year 1927, like certain of her sister states, was visited by many serious disasters—among them the overflowing of the Ohio river at Newport, Bellvue and Dayton in January, and McLean County flood in February, the Mississippi river valley flood in the spring and summer, and the Eastern Kentucky cloudbursts, May 29th and 30th.

And, Whereas, on the occasion of each disaster the American Red Cross Society, through its local chapters and its National Headquarters, promptly offered and gave emergency relief to and permanently rehabilitated the tens of thousands of sufferers, men, women and children, spending more than four hundred thousand dollars in such work; now,

Therefore, Be It Resolved, that the House of Representatives of the Commonwealth of Kentucky, in regular session, with the Senate concurring, hereby expresses its profound appreciation to the American National Red Cross for the Society's efficient work of relief and reconstruction among our citizens; and,

Furthermore, we call upon all the citizens of Kentucky to affiliate with and support the activities, local, national and international, of the American Red Cross whenever such opportunity is given them, remembering that the Red Cross Society, chartered by the Congress of the United States of America, is our nation's official agency for the prevention and the alleviation of suffering "in peace and in war, at home and abroad."

Resolved, Further, that the Clerk of the House upon a concurrence of the Senate in this resolution is instructed to furnish the Governor, Honorable Flem D. Sampson, with a copy of this resolution to be forwarded to the Honorable John Barton Pane, Chairman, the American Red Cross, Washington, D. C., and that a copy be given the State Press for publication; and that a copy be preserved permanently with the records of the Kentucky House of Representatives and of the Senate.

Said resolution was adopted.

The hour of ten-thirty o'clock having arrived, that being the hour of the Special Order of the Day, to-wit, a bill entitled:

H. B. 17. An Act providing for the election of County Superintendent by popular vote.

The House took up for consideration said Special Order of the Day.

Mr. Jeter moved that said Special Order of the Day be postponed until the consideration of the Special Order of the Day which was fixed for eleven o'clock A. M., to-wit, a bill entitled:

H. B. 406. An Act repealing Section 1486 to 1506, inclusive of Kentucky Statutes, Carroll's 1922 Edition, relating to registration in certain towns and cities, including cities of the fourth class and enacting in lieu thereof an act providing for registration for elections in cities of the fourth class, including those having population of less than five thousand.

Be disposed of.

Said motion was agreed to.

Thereupon the House took up for consideration the Special Order of the Day, last above referred to, to-wit:

H. B. 406. (For title see above.)

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 1486 to 1506, inclusive, of Kentucky Statutes, Carroll's 1922 Edition, be and the same are hereby repealed, and there is hereby enacted in lieu thereof the following.

In all cities of the fourth class in this Commonwealth, including those cities of the fourth class which have a population of less than five thousand, there shall be a registration

of all the qualified voters of said cities, which shall be held and conducted at the times and in the manner now provided by law for registration in cities of the first, second, third and fourth classes in which the population is more than five thousand, as provided by Chapter 64 of the Acts of the General Assembly of 1924.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. O. Creech	John G. B. Hall
A. L. Allen	C. B. Crossland	T. W. Hardesty, Jr.
S. E. Anderson	J. R. Dorman	Herman Handmaker
W. B. Ardery	E. J. Doss	Brooks L. Hargrove
W. O. Bach	W. M. Duncan	C. W. Hawkins
Walter J. Bailey	Thos. J. Dunn	J. R. Hobbs
A. J. Baldridge	D. E. Edwards	J. S. Hollan
W. O. Baxter	J. O. Evans	S. K. Holland
W. P. Bowman	W. J. Fisher	W. F. Hunter
Thos. L. Britton	J. C. Flener	Lester Jeter
W. G. Buckner	Duke W. Fowler	T. M. Johnson
S. J. Bunger	Chas. B. Fulton	John C. Kemper
Sam P. Burnam	J. B. Furlong	John B. Klefot
E. L. Campbell	F. A. Gnau	J. Porter Land
J. G. Campbell	R. C. Graham	S. D. Laughlin
Chas. B. Carver	W. T. Green	Leon P. Lewis
Harry Cochran	E. L. Hagan	Wm. McClave
John Cooper	A. L. Hall	J. L. McKnight

Wm. McRohan	L. C. Nell	M. E. Sparks
Clark Macdonald	Andrew Nichols	Dan Stamper
J. L. Manning	J. H. Payne	Frank L. Strange
Luther Morse	J. G. Prather	J. G. Swearingen
C. C. May	W. H. Pryor	E. G. Thomas
Henry Meiman	B. A. Robertson	C. F. Thornton
A. M. Mercer	C. W. Ryans	P. H. Vincent
Harry J. Meyers	Charles Smith	J. A. White
L. P. Murphy	Daniel Boone Smith	
James H. Muse	S. G. Smith	

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Resolved that the title thereof be as aforesaid.

Mr. Jeter moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

In accordance with the motion of Mr. Jeter above referred to, the House took up for consideration the Special Order of the Day, to-wit:

H. B. 17. (For title see above.)

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4399a-10 of article V, chapter 113, of Carroll's 1922 edition of Kentucky Statutes, be and the same is hereby repealed and that there be enacted in lieu thereof the following:

§ 2. At the regular November election in 1929 and every four years thereafter, a county school superintendent of schools shall be elected by the qualified voters of each county, and shall hold his office for four years from the first Monday in January following his election or until the election and qualification of his successor. The County Superintendent

shall be elected and the vote canvassed and the result certified by the same officers, and in the same manner as in the elections of other county officers, and within ten days after the election the clerk of the county court shall forward a copy of the certificate of election to the Superintendent of Public Instruction. In case of a controverted right to the office of County School Superintendent, the Superintendent of Public Instruction shall have power to recognize a superintendent from among the contestants, until the case has been settled.

All legal voters residing in each county, except residents of the cities of the first, second and third class, shall have the right to vote in the election. Any person shall be eligible to the office of County Superintendent of Schools who is at the time of the election twenty-five (25) years of age, a citizen of Kentucky, and who has resided in the state one (1) year, next preceding his election, and who is a High School Graduate or who holds a first class teacher's certificate, and has actually been engaged in teaching for a period of not less than five (5) years. To entitle a person to have their names placed on the ballots as a candidate for the office of County Superintendent, he shall, not less than 45 nor more than 75 days before the regular election day of November, file with the county court clerk, a verified statement, setting out the fact that he is possessed of one or more qualifications as prescribed in this act and shall at the same time file a petition with the county court clerk, signed by not less than one hundred petitioners, the signatures of said petitioners need not be appended to one petition but no petition shall be counted except his residence and post office address be designated; such petition shall state the name and residence of each of such candidates; that he is legally qualified to hold such office; that the subscribers desire and are legally qualified to vote for such candidate for the office of County School Superintendent. All elections for County School Superintendent shall be held on the regular election day in November, and shall be at the regular voting place, in each precinct in each county, and shall be by secret

and separate ballot. Said election shall be conducted by the same officers who conduct the regular November election, and except where otherwise provided by law, such elections in all particulars shall be conducted in the same manner as other elections.

It shall be the duty of the county court clerk to cause to be printed on the ballots used for the election of County School Superintendent the names of all candidates in whose behalf he may be petitioned to do so. It shall be his duty to prepare a separate ballot for each school election, which ballot shall be in form prescribed by the general election law of the state except that no party emblem or device or distinguishing mark of any character shall be placed on said ballot save the words, "SCHOOL TICKET" at the head thereof and such directions as will aid the elector; the names shall be printed across the top and on a line parallel with each other. Immediately on the right of each name shall be placed a small square large enough to contain the cross mark by which the voter is required to designate his vote; underneath the name of each candidate shall be left a blank space large enough to contain a name with a square at the right of it. The ballots cast at said election shall be deposited in a separate ballot box, furnished for the purpose, by the sheriff of the county. The election officers will make out for said election a separate tally sheet and certificate shall be returned and candidates as now provided by law in other general elections, provided that all County School Superintendents holding office at the time that this act shall take effect, shall continue to serve to the end of the term for which they were originally appointed and the county board of education shall appoint a County School Superintendent to serve until their successors are elected and qualified under the provisions of this act.

The County Superintendent of Schools shall devote his entire time to the public school business and shall receive such compensation as the County Board of Education shall direct to be paid from the county school fund in monthly install-

ments, provided that no County School Superintendent elected under the provisions of this act shall be paid a salary of less than (\$1,200.00) per year.

In case of vacancy due to any cause the county Board of Education shall appoint some qualified person to fill the vacancy, provided, however, that an election shall be held to fill the unexpired term at the next succeeding annual election which does not come less than three (3) months from the time said vacancy occurs.

The County Superintendent of Schools shall be the executive officer of the County Board of Education, shall see that the laws relating to the schools, the by-laws, rules and regulations of the State Board of Education, and regulations and policies of the County Board of Education, are carried into effect. The County Superintendent of Schools shall recommend for condemnation, school buildings which are unsanitary and unfit for use. He shall recommend for repairs, and purchase of ground, school sites and grounds, the sale of the same, and shall cause to be prepared all plans and specifications for remodeling of old buildings, provided that the plans and specifications for any and all buildings to be erected in said county shall be submitted to the State Superintendent of Public Instruction or his agent for approval. The County Superintendent shall in writing, all contracts, of any kind, entered into by the County Board of Education, and no such contract shall be valid without such approval. He shall be the representative of the State Superintendent of Public Instruction in all examinations for Teachers' Certificates, conducted within the county and shall perform such duties connected therewith as required by law.

All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Jeter offered the following Amendment thereto, by way of Substitute therefor, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4399a-10 of Article V, Chapter 113, of Carroll's 1922 Edition of Kentucky Statutes, be and the same is hereby repealed and that there be enacted in lieu thereof the following:

At the regular November election in 1929 and every four years thereafter, a county school superintendent of schools shall be elected by the qualified voters of each county, and shall hold his office for four years from the first Monday in January following his election or until the election and qualification of his successor. The County Superintendent shall be elected and the vote canvassed and the result certified by the same officers, and in the same manner as in the election of **other county officers**, and within ten days after the election the clerk of the county court shall forward a copy of the certificate of election to the Superintendent of Public Instruction. In case of a controverted right to the office of County School Superintendent, the Superintendent of Public Instruction shall have power to recognize a superintendent from among the contestants, until the case has been settled.

All legal voters residing in each county, except residents of the cities of the first, second and third class, shall have the right to vote in the election. Any person shall be eligible to the office of County Superintendent of Schools who is at the time of the election twenty-five (25) years of age, a citizen of Kentucky, of good moral character, and who has actually resided in the state one (1) year, next preceding his election, and who is qualified as to academic and professional training, and experience in school work as is now required by law. To entitle a person to have his name placed on the ballots as a candidate for the office of County Superintendent, he shall, not less than 45 nor more than 75 days before the regular election of November, file with the county court clerk a certificate of eligibility for holding the office of County Superintendent of Schools from the State Department of Education

as prescribed in this act and shall at the same time file a petition with the county court clerk, signed by not less than one hundred petitioners; the signatures of said petitioners need not be appended to one petition but no petitioner shall be counted except his residence and post office address be designated. No petitioner shall be counted on any petition who signs more than one petition. Such petition shall state the name and residence of each of such candidates; that he is legally qualified to hold such office; that the subscribers desire and are legally qualified to vote for such candidate for the office of County Superintendent. All elections for County School Superintendent shall be held on the regular election day in November, and shall be at the regular voting place, in each precinct in each county and shall be by secret and separate ballot. Said election shall be conducted by the same officers who conduct the regular November election, and except where otherwise provided by law, such elections in all particulars shall be conducted in the same manner as other elections.

It shall be the duty of the county court clerk to cause to be printed on the ballots used for the election of County School Superintendent the name of all candidates in whose behalf he may be petitioned to do so. It shall be his duty to prepare a separate ballot for each school election, which ballot shall be in form prescribed by the general election laws of the state except that no party emblem or device or distinguishing mark of any character shall be placed on said ballot save the words "SCHOOL TICKET" at the head thereof and such directions as will aid the elector; the names shall be printed across the top and on a line parallel with each other. Immediately on the right of each name shall be placed a small square large enough to contain the cross mark by which the voter is required to designate his vote. The ballots cast at said election shall be deposited in a separate ballot box, furnished for the purpose, by the sheriff of the county. The election officers will make out for said election a separate tally

sheet and certificate which shall be returned and canvassed as now provided by law in other general elections, provided that all County School Superintendents holding office at the time that this act shall take effect, shall continue to serve to the end of the term for which they were originally appointed and the county board of education shall appoint a County School Superintendent to serve until their successors are elected and qualified under the provisions of this act.

The County Superintendent of Schools shall devote his entire time to the public school business and shall receive for his services such compensation as the County Board of Education shall allow, same to be paid out of the ordinary school fund. Said salary shall be paid in regular monthly installments and no County Superintendent of Schools shall receive less than twelve hundred dollars (\$1,200.00) a year.

In case of vacancy due to any cause the County Board of Education shall appoint some qualified person to fill the vacancy, provided, however, that an election shall be held to fill the unexpired term at the next succeeding annual election which does not come less than three (3) months from the time said vacancy occurs.

The County Superintendent of Schools shall be the executive officer of the County Board of Education, shall see that the laws relating to the schools, the by-laws, rules and regulations of the State Board of Education, and regulations and policies of the County Board of Education, are carried into effect. The County Superintendent of Schools shall have general supervision over the schools of the county district and over the independent graded schools of his County. The County Superintendent of Schools shall recommend for condemnation, school buildings which are unsanitary and unfit for use. He shall recommend for repairs, and purchase of ground, school sites and grounds, the sale of the same, and shall cause to be prepared all plans and specifications for remodeling of old buildings, provided that the plans and specifications for any and all buildings to be erected in said county

shall be submitted to the State Superintendent of Public Instruction or his agent for approval. The County Superintendent shall in writing, all contracts, of any kind, entered into by the County Board of Education, and no such contract shall be valid without such approval. He shall be the representative of the State Superintendent of Public Instruction in all examinations for Teachers' Certificates, conducted within the county and shall perform such duties connected therewith as required by law.

All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Fowler moved the said bill be laid on the Clerk's desk and that said Amendment be ordered printed.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Vincent and Robertson, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. J. Fisher	C. C. May
W. B. Ardery	Duke W. Fowler	Henry Meiman
W. P. Bowman	J. B. Furlong	A. M. Mercer
W. G. Buckner	F. A. Gnau	E. B. Miller
S. J. Bunger	E. L. Hagan	L. P. Murphy
E. L. Campbell	John G. B. Hall	Andrew Nichols
Chas. B. Carver	T. W. Hardesty, Jr.	J. H. Payne
Harry Cochran	C. W. Hawkins	J. G. Prather
John Cooper	Phillip Helf	B. A. Robertson
J. O. Creech	J. S. Hollan	Frank L. Strange
C. B. Crossland	S. K. Holland	Mac Swinford
J. R. Dorman	Robt. L. Horn	C. F. Thornton
E. J. Doss	John B. Klefot	P. H. Vincent
W. M. Duncan	J. Porter Land	J. C. Watkins
D. E. Edwards	S. D. Laughlin	L. M. Weathers
J. W. Edwards	Leon P. Lewis	J. A. White
J. O. Evans	Wm. McRohan	

Those who voted in the negative were—

A. L. Allen	W. T. Green	L. C. Nell
S. E. Anderson	A. L. Hall	Levi W. Powell
W. O. Bach	J. R. Hobbs	W. H. Pryor
Walter J. Bailey	W. F. Hunter	C. W. Ryans
A. J. Baldridge	Lester Jeter	Charles Smith
W. O. Baxter	T. M. Johnson	Daniel Boone Smith
T. H. Benton	Wm. McClave	S. G. Smith
Thos. L. Britton	J. L. McKnight	M. E. Sparks
Sam P. Burnam	Clark Macdonald	Dan Stamper
J. G. Campbell	J. L. Manning	J. G. Swearingen
Chas. H. Fair	Luther Morse	J. B. Taylor
J. C. Flener	Harry J. Meyers	E. G. Thomas
Chas. B. Fulton	James H. Muse	

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A message was received from the Senate announcing that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 256. An Act making it the duty of the State Inspector and Examiner to examine the books of any officer or officers of a drainage district established under the laws of the State of Kentucky and requiring him to make report thereof to the county court clerk, which report shall be a public record.

2. S. B. 251. An Act relating to the reforestation of the State; providing means and methods of reforestation and repealing Chapter 9 of the Acts of the General Assembly of 1926, relating to the same subject.

3. S. B. 190. An Act authorizing the Kentucky State Board of Agriculture to convey 4.93 acres more or less of its real estate in Louisville, Kentucky to the Kentucky & Indiana Terminal Railway Company for the consideration of the maintenance and operation of the railroad track by said company where it is now located, to and within the Kentucky

State Fair Grounds, and the construction and operation of platforms and railroad tracks for loading and unloading purposes for the use and benefit of the Kentucky State Fair and the maintenance thereof so long as said Kentucky State Fair is maintained and operated.

Ordered that said bills be printed and referred:

1. To Committee on Public Ditches.
2. To Committee on Forestry.
3. To Committee on State Fair.

And that they had passed resolutions which originated in that body of the following titles, viz.:

S. Res. 10. Resolution providing for the purchase of copies of the Legislative Digest.

S. Res. 12. Joint Resolution memorializing Congress.

Ordered that said resolutions be laid on the Clerk's desk.

And that they had passed bills which originated in that body of the following titles, viz.:

S. 181. An Act placing a road in Mercer and Boyle Counties upon the Primary System.

S. B. 234. An Act placing a road in Boyle County, Kentucky, upon the Primary System of roads in Kentucky.

S. B. 235. An Act placing a road in Boyle County Kentucky, upon the Primary System of roads in Kentucky.

S. B. 239. An Act relating to roads and highways and establishing and creating a road project No. —, extending

from Brandenburg in Meade County to Leavenworth Ferry in Meade County as a state Primary Road.

S. B. 240. An Act relating to roads and highways and establishing and creating a primary road project No. —, extending from Shepherdsville in Bulitt County to a point on the Jackson Highway in Bullitt County between Mt. Washington and Smithville.

S. B. 241. An Act establishing as part of the Primary System of State Highways of the Commonwealth of Kentucky a road beginning on State Highway Project No. 11, at the foot of Hoover Hill in Ohio County, Kentucky, where what is known as the Harmon's ferry road intersects said Road Project No. 11 and running from said point by the way of Taffy and Ralph to and intersecting, near Deanfield in Ohio County, Kentucky, to the Daviess County line near Whitesville, Kentucky.

S. B. 247. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of roads and highways.

S. B. 255. An Act to establish a road from Paducah, Kentucky, at the northern end of Eighth Street in said city and at the city limits to a point opposite Brookport, Ill., and being a part of the Highway between Paducah, Kentucky and Golconda, Illinois, as part of the Primary System of State Highways, and designating said project as project No. 9.

S. B. 257. An Act establishing and creating as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky, a road leading from Flippin, Monroe County, Kentucky, via Emberton to Tompkinsville.

S. B. 260. An Act to add additional road projects to the Primary System of State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

S. B. 261. An Act to add additional road projects to the Primary System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

S. B. 262. An Act to add additional road projects to the Primary System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

S. B. 263. An Act to add additional road projects to the Primary System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

S. B. 264. An Act to add additional road projects to the Primary System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

S. B. 266. An Act to establish as a part of the Primary System of State Highways a road from Cub Run in Hart County, Kentucky, to the Dixie Highway at a point about one and one-half miles north of Bonnieville in Hart County, via Lions Mill, Priceville and Camp Ground, to be known as project No. —.

S. B. 267. An Act to establish as a part of the Primary System of State Highways a road from McDaniels in Breckinridge County to Glen Dean in Breckinridge County, via Axtel, and being a part of project No. —.

S. B. 271. An Act establishing as a part of the Primary System of State Highways a road from a point on Project No. 10, beginning at or near J. B. Ray's farm, thence via Flat Rock and Rufus to Wilson Warehouse Bridge on Tradewater River, thence to Madisonville, commonly known as Wilson Warehouse Road.

S. B. 272. An Act establishing as a part of the Primary System of State Highways a road from Princeton via Jordan's Store to Eddyville, known as Varment Trace Road.

S. B. 273. An Act to establish as a part of the State Primary System a road to be known as Project No. —, to lead from Project No. 19 at Glenarm in Oldham County, Kentucky, by way of Brownsboro and Poplar Grove to connect with Project No. 13 at Prospect, Jefferson County, Kentucky.

S. B. 275. An Act to construct and make part of the Primary Road System of Kentucky a road beginning opposite Drennon Springs in Owen County, Kentucky, on the Kentucky River and leading via Ball's Landing to primary road project No. — at James Whitehead's.

S. B. 278. An Act creating and establishing as a part of the Primary System of State Highways of the State of Kentucky, a road leading from Major's Run on Project No. 46 of the Primary System of State Highways in Carroll County, Kentucky via of English, Lane's Landing and Glen Mary to a point on Project No. 19 of the Primary System of State Highways in Henry County, Kentucky where said last named project meets the Kentucky River, to be known and designated as Project No. 46A.

S. B. 284. An Act to establish a State Primary road project from Fulton to the Tennessee State Line on the Fulton-Union City road.

S. B. 285. An Act relating to roads and projects and establishing and creating a road project No. —, extending from a point intersecting Project No. 9 in Graves County, Kentucky, at Sedalia, in said County and State, and extending south from Sedalia, Graves County, Kentucky, by the way of Lynnville, Graves County, Kentucky, to the Tennessee State line and establishing same as the State Primary Road

to connect with any highway of the Highway System of the State of Tennessee in Weakly County, Tennessee, extending north to the Kentucky Tennessee State line, to be known as Project No. — in said system.

S. B. 288. An Act relating to roads and highways, describing and establishing a project as part of the State Primary System of Roads and Highways.

S. B. 289. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

S. B. 201. An Act establishing and creating as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky, a road leading from Tompkinsville, Monroe County, Kentucky, to the Kentucky-Tennessee State line, via Mill Creek Church, Monroe County, Kentucky.

S. B. 292. An Act making a road in Boyle County, Kentucky a part of the State Highway System of Kentucky.

S. B. 123. An Act relating to roads and bridges and establishing and creating a road project No. — extending from Brandenburg in Meade County to a point on Project No. 8-A in Meade County, near Spinks' place, as a State Primary Road.

S. B. 143. An Act to add to the State Primary System a road from Hitchens, Carter County, Kentucky, to the Mayo Trail in Lawrence County, Kentucky, at the residence of Jeff Collinsworth, via Willard, Webbville and Brammar Gap, and to be a part of project No. —.

S. B. 155. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from a point on the Eastern Branch of

the Dixie Highway at Nicholson to Covington in Kenton County, Kentucky and designating the same as State Project No. —.

S. B. 156. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Sanfordtown on State Project No. 62, to Bromley on State Project No. 103 and designating the same as State Project No. —.

S. B. 157. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Covington, Kenton County, Kentucky, to a point on State Highway No. 13, near Union in Boone County and designating the same as State Project No. 13A.

S. B. 158. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from a point on State Project No. 103 where the Ryland Road intersects same to State Project No. 62 near Fiskburg in Kenton County and designating the same as State Project No. 103 A.

S. B. 159. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of roads and Highways.

S. B. 169. An Act establishing a road from Springfield, Kentucky to Chaplin, Kentucky, by way of Polin, Mount Zion and Tunnill Mill, as part of the Primary System of State Highways, and designating said project as Project No. 44b.

S. B. 176. An Act relating to roads and highways creating a road from a point near Lewisburg, Logan County Kentucky, through Bechland, Ky., to the Butler County Line.

S. B. 177. An Act placing a road in Mercer and Boyle Counties upon the Primary System.

S. B. 178. An Act placing a road in Boyle and Washington Counties upon the Highways System.

S. B. 179. An Act putting a road on the State Primary System in Lincoln County.

S. B. 180. An Act placing a road in Boyle County upon the Highway System.

S. B. 182. An Act placing a road in Boyle County upon Primary System.

S. B. 183. An Act placing a road in Garrard County upon the Highway System.

S. B. 184. An Act placing a road on the Primary System in Lincoln County.

S. B. 197. An Act relating to roads and highways and establishing and creating a road project No. —, extending from Hodgenville in Larue County to Lebanon in Marion County as a State Primary Road.

S. B. 198. An Act to establish State Primary road project No. —, from Glasgow, Ky., county seat of Barren County to Fountain Run, Kentucky.

S. B. 204. An Act relating to roads and highways and describing and fixing a project to be added to the State Primary System of roads and highways.

S. B. 205. An Act to provide for primary road beginning at North Pleasureville, in Henry County, Kentucky, and ex-

tending to South Pleasureville, in Henry County, Kentucky, and to be known as part of Project No. —.

S. B. 213. An Act establishing a road from Lebanon Junction in Bullitt County, to State Project No. 75, known as the Bardstown road, near the residence of W. L. Cofer in Hardin County, as a part of Primary System of State Highways.

S. B. 218. An Act relating to roads and projects and establishing and creating a road project No. —, extending from Fulton, Fulton County, Kentucky, via Beelertown and to Fulgham in Hickman County, Kentucky, as a State Primary Road.

S. B. 221. An Act establishing and creating as a part of the Primary Road System the road leading from Monticello to the Tennessee State line.

S. B. 224. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Independence, Kenton County, Kentucky, to Devon, Boone County, Kentucky, and designating the same as State Project No. —.

S. B. 225. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Independence, Kenton County, Kentucky, to Devon, Boone County, Kentucky, and designating the same as State Project No. —.

S. B. 232. An Act establishing and designating the road leading from St. Theresa Church, in Meade County, to Stephensport, in Breckenridge County, by way of Mooleyville, Chenault and Ammons, a part of the Primary System of State Roads to be known as State Primary Road Project No. —.

S. B. 256. An Act making it the duty of the State Inspector and Examiner to examine the books of any officer or officers of a drainage district established under the laws of the State of Kentucky and requiring him to make report thereof to the county court clerk, which report shall be a public record.

S. B. 251. An Act relating to the reforestation of the State; providing means and methods of reforestation and repealing Chapter 9 of the Acts of the General Assembly of 1926, relating to the same subject.

S. B. 190. An Act authorizing the Kentucky State Board of Agriculture to convey 4.93 acres more or less of its real estate in Louisville, Kentucky, to the Kentucky & Indiana Terminal Railroad Company for the consideration of the maintenance and operation of the railroad track by said Company where it is now located, to and within the Kentucky State Fair Grounds, and the construction and operation of platforms and railroad tracks for loading and unloading purposes for the use and benefit of the Kentucky State Fair and the maintenance thereof so long as said Kentucky State Fair is maintained and operated.

Ordered that all of said last named bills be printed and referred

To Committee on Roads and Highways No. 2.

Mr. Strange moved that the rules be suspended and that the House proceed to the call of counties for the introduction of bills and the reports of the Standing Committees.

Said motion was agreed to.

Thereupon on the call of the counties and Legislative districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Fisher:

H. B. 553. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road from Mammoth Onyx Cave on the Dixie Highway, in Hart County, via Northtown to Cub Run in said county.

To Committee on Roads and Highways No. 3.

By Mr. Hunter:

H. B. 554. An Act to establish State Primary Road Project 30 from Beverley in Bell County to Pineville.

To Committee on Roads and Highways No. 3.

By Mr. Ardery.

H. B. 555. An Act providing for pensioning certain policemen, widows and minor children of policemen of fourth class cities of Kentucky.

To Committee on Public Safety.

By Mr. Alcock:

H. B. 556. An Act requiring public officials of counties, graded school districts, sub-divisions and districts less than a county and municipalities, whose duty it is to collect, have the custody of and disbursement of public funds of such county, graded school district, subdivision or district less than a county or municipality, to make, file and publish annually an itemized sworn statement of all funds collected, etc.

To Committee on Judiciary.

By Mr. Cochran:

H. B. 557. An Act establishing as part of the Primary System of State Highways a road beginning at a point on Project 46, Taylorsville and Waterford pike, approximately one mile east of Waterford and running nearly due south for a distance of six or six and one-half miles, to and intersecting with the Fairview and High Grove road at or near Will Briscoe's, which road is now known as Waterford and Lily Pike.

To Committee on Roads and Highways No. 3.

By Mr. Hardesty:

H. B. 558. An Act authorizing and empowering counties having a city of the second class to purchase, construct and reconstruct bridges over or tunnels under any boundary line stream of this Commonwealth (including the Ohio river) and to negotiate, purchase, or obtain suitable and necessary approaches thereto from or in an adjoining State or any subdivision thereof, and any property from or in such adjoining State or subdivision thereof needed for the construction or support of such bridge or tunnel, etc.

To Committee on Kentucky Statutes.

By Mr. Hargrove:

H. B. 559. An Act amending and re-enacting Section 3988 of Carroll's Kentucky Statutes extending the time allowed the Public Printer for printing the journals of the General Assembly from sixty days to six months.

To Committee on Public Printing.

By Mr. Mercer:

H. B. 560. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky

a road from Gresham in Green County, by the way of Fry, to Mell in said county.

To Committee on Roads and Highways No. 3.

By Mr. Eversole:

H. B. 561. An Act to prevent the mining or removal of coal from the lands of another by any person not having color of title thereto, and providing penalties for violation.

To Committee on Mines and Mining.

By Mr. J. G. B. Hall:

H. B. 562. An Act to confer upon cities of the fourth class the right to acquire land and to construct and maintain thereon water works within or beyond the limits of such city.

To Committee on Cities of 4th Class.

By same:

H. B. 563. An Act to repeal and re-enact Section 1173 and to repeal Sections 1174, 1175, 1176, and 1177 Carroll's Kentucky Statutes, 1922, relating to false swearing and perjury.

To Committee on Criminal Law.

By Mr. Baldrige:

H. B. 564. An Act to establish a road on the Primary System of roads to Delong at or near the mouth of Beech fork.

To Committee on Roads and Highways No. 3.

By Mr. Meyers:

H. B. 565. An Act to prevent any officer or employee of the State or of the departments, boards, commissions or agencies of the State Government to incur expense on trips made to any point outside of the State, except on official business, and then only after a request to make such trips has been filed in writing with the commissioners of the Sinking Fund, showing the purpose of the proposed trip, and authority to make same has been approved in writing by said commissioners of the Sinking Fund.

To Committee on Kentucky Statutes.

By same:

H. B. 566. An Act to amend Sections 915 and 916 of Kentucky Statutes, Carroll's 1922 Edition, relating to removal of county seats.

To Committee on Kentucky Statutes.

By Mr. Nichols:

H. B. 567. An Act to amend and re-enact Section 2630 of Carroll's Kentucky Statutes, 1915, so as to fix the qualifications of inspectors employed by the Kentucky Board of Pharmacy.

To Committee on Public Health.

By Mr. Robertson:

H. B. 568. An Act to enable cities of the third class to adopt and operate under the City Manager form of Government; providing for an election to determine whether a majority of the voters desire that form of government and pro-

viding for the election, term and qualifications of said City Manager, and further providing for a Board of Commissioners vested with all legislative powers of the city and adopting as part of this Act all provisions of Chapter 92 of the Acts of the General Assembly of 1914, being Sections 3480b-1, to 3480b-29 inclusive, Kentucky Statutes, insofar as said provisions are not in conflict with the provisions of this Act.

To Committee on Cities of 2nd and 3rd Class.

By Mr. S. K. Holland:

H. B. 569. An Act entitled An Act providing for the submission to the voters of the State of Kentucky for their rejection or ratification amendments to Sections 91, 93, and 95 of the Constitution of the State of Kentucky.

To Committee on Constitutional Amendments.

By Mr. Handmaker:

H. B. 570. An Act entitled An Act to regulate the use of free transportation on the various railroads of Kentucky, and prescribing a penalty for the violation thereof.

To Committee on Railroads.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Meyers of the Committee on Cities of the 2nd and 3rd Class:

H. B. 280. An Act authorizing cities of the 3rd class, not having commission form of government, owning its system of water works, to provide by ordinance for the management and operation thereof by a Board of Water Works.

With a Committee Amendment thereto by way of Substitute therefor.

By Mr. J. S. Hollan of the Committee on Cities of the 4th Class:

H. B. 254. An Act to amend and re-enact an Act appearing in Chapter 98, 1924, approved on March 10, 1924, entitled "An Act to provide for the construction of sewers in cities of the 4th class, etc."

By Mr. Kemper of the Committee on Education No. 2:

H. B. 314. An Act amending Section 9 of Chapter 86, Acts of the General Assembly of the Commonwealth of Kentucky for 1926, relating to superintendent certificates and the qualifications of county school superintendents.

H. B. 343. An Act to provide for the distraining for graded common school taxes in graded school districts other than those in cities of the 1st, 2nd, 3rd, and 4th class.

By Mr. S. K. Holland of the Committee on Kentucky Statutes:

H. B. 407. An Act to amend Sections 10 and 11 of Chapter 64, Acts of the General Assembly of the Commonwealth of Kentucky 1924, "An Act relating to registration for elections in cities and towns having a population of 5,000 inhabitants or more," approved March 21, 1924.

S. B. 109. An Act to prevent the fraudulent operation of slot machines and coin receptacles and to provide penalties for a violation thereof.

H. B. 291. An Act creating a State Board of Examiners and registration of architects, prescribing its powers and

duties, providing for examinations and issuing certificates to qualified registered architects or architects and providing for penalties for violation of the provisions of the Act.

H. B. 324. An Act to amend Section 2117, Kentucky Statutes, Carroll's Edition 1922, Act of May 16, 1893.

H. B. 427. An Act to repeal Chapter 148 of 1926 of the General Assembly of the Commonwealth of Kentucky, being an Act regulating the depositing of funds of the Commonwealth of Kentucky collected by county and district officials and trustees of the jury fund, and providing a manner of keeping a daily record, etc.

H. B. 109. An Act to give to women jurors the privilege and right to claim absolute and peremptory exemption from jury service, when and where they so desire.

Without an expression of opinion as to the last above named bill.

By Mr. Howard of the Committee on Public Health:

H. B. 463. An Act to repeal and re-enact Section 2047 Kentucky Statutes, which was originally Section 1 of Chapter 185 of the Acts of 1893, amended by Chapter 34, Section 7 of the Acts of 1904, and further amended by Chapter 120, Section 1 of the Acts of 1920, relating to the establishment, appointment, qualification, term of office, number of members, and duties of the State Board of Health.

H. B. 311. An Act to provide for the sexual sterilization of inmates of the State Institutions in certain cases and to provide for procedure to protect the rights of such inmates.

Without an expression of opinion as to the last above named bill.

H. B. 293. An Act to create a Board of Chiropractic Examiners and to regulate the practice of chiropractic and to provide penalties for violation of this act and to prohibit the practice of any other mode or system under the name of chiropractic.

By Mr. Payne of the Committee on Roads and Highways No. 1:

H. B. 357. An Act repealing and re-enacting Section 4356t-8, Kentucky Statutes, Carroll's 1922 Edition, relating to the construction of Primary Roads through cities and towns so that said section as re-enacted shall provide for the construction of primary roads through cities of the fifth and sixth classes, and providing for the payment of such construction.

With a Committee Amendment thereto by way of Substitute therefor.

By Mr. Fisher of the Committee on Roads and Highways No. 3:

H. B. 304. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Independence, Kenton County, to Devon, Boone County, and designating the same as State Project —.

H. B. 382. An Act establishing and making a road from Upton on Project 11 to Magnolia on Project 3 via Tallie School House and Brook's School House, as a part of the State Highways, and designating said Project as Project 11-N.

H. B. 330. An Act establishing and creating a road leading from Jackson, Breathitt County, Kentucky, via Guerrant

or Highland Institute to Booneville, Owsley County, Kentucky, and making it part of the State System of Primary Roads.

H. B. 327. An Act to amend and re-enact Chapter 153, Acts 1924, relating to roads and bridges.

H. B. 337. An Act to amend Chapter 248 Acts of 1926 relative to roads and highways by adding to them a portion of road beginning at Wheelwright Junction in Floyd County and running via Abner Fork to mouth of Indian Creek, Pike County, Kentucky.

H. B. 432. An Act creating road project adding to the highway system in Fulton County.

H. B. 437. An Act to add additional road projects to the Primary System of State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

H. B. 373. An Act adding to the Primary System of State Highways the road from Greenup, Kentucky, to Redhot in Greenup County.

H. B. 374. An Act to establish State Primary Road Project — from Brown's Garage on the River Road in Greenup County to Argulite in the same county.

H. B. 385. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

H. B. 375. An Act to establish State Primary Road Project — from Cold Branch in Greenup County to Lynn, also in Greenup County.

H. B. 336. An Act creating a new Primary Road project from Prestonsburg, Floyd County, Kentucky, via Bonanzo, to Salyersville, Magoffin County, Kentucky.

H. B. 250. An Act placing a road in Boyle and Washington Counties upon the Highways System.

H. B. 249. An Act placing a road in Boyle County upon the Primary System.

H. B. 361. An Act to establish State Primary Road Project — from Princeton in Caldwell County via the Wilson Warehouse Road and the Tradewater river bridge in the vicinity of Montgomery Ford or New Hope and the lower levee to Providence in Webster county.

H. B. 340. An Act creating and establishing a public road from Tar Hill via Clippet Chapel to State Highway 12, and making it a part of the State Primary Road System.

H. B. 326. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of 1920, which is Section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and Highways and establishing and creating Project 2¾.

H. B. 341. An Act creating and establishing road from Yeaman via Spring Lick to State Highway 12, and making it a part of the State Primary Road System.

H. B. 328. An Act to establish a new State Primary Road leading from Yuma, Taylor County, Kentucky, via Knifley, Eunice, and Neatsville in Adair County, Kentucky, to Humble in Russell County, Kentucky.

H. B. 362. An Act to add to the Primary System a road beginning at the mouth of George's Creek at Mayo Trail, end-

ing with the Garrett Highway in Martin County near Stidham, Kentucky.

H. B. 302. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Covington, Kenton County, Kentucky, to a point on State Highway 13 near Union in Boone County and designating the same as State Project 13-A.

H. B. 214. An Act relating to roads and bridges and establishing and creating a road project extending from Brandenburg in Meade County to a point on Project 8-A in Meade County, near Spinks' place, as a State Primary road.

H. B. 301. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from a point on State Project 103 where the Ryland Road intersects same, to State Project 62 near Fiskburg in Kenton County, etc.

H. B. 305. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from a point on the eastern branch of the Dixie Highway at Nicholson to Covington in Kenton County, and designating the same as Project —.

H. B. 300. An Act relating to roads and highways and establishing as a part of the Primary System, Project — leading from a point near Oil Springs P. O. to Riceville, Kentucky.

H. B. 316. An Act placing a road in Garrard County upon the Highways System.

H. B. 338. An Act to amend Chapter 248, Acts of 1926, relating to roads and highways, by adding to them a portion

of road beginning at mouth of Clear Creek on the Haymond Highway and running up said creek to Legan, Kentucky, and then across the hill and down Mud to Laynesville to Mayo Trail.

H. B. 303. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Sanfordtown on State Project 62 to Bromley on State Project 103 and designating the same as State Project —.

H. B. 331. An Act to add to the Primary System of public highways a road leading from U. S. Highway 60 one mile east of Lewisport, Hancock County, Kentucky, to Knotts bridge on line between Hancock and Daviess Counties, Kentucky, to be known as the Lewisport and Knotts Bridge road.

H. B. 332. An Act adding to the Primary System of roads from Fern Creek, etc.

H. B. 251. An Act placing a road in Mercer and Boyle Counties upon the Primary System.

H. B. 252. An Act placing a road in Boyle County upon the Primary System.

H. B. 370. An Act establishing State Primary Road Project — from Walltown, Casey County, Kentucky, to Gilpin, Casey County, Kentucky.

H. B. 371. An Act establishing Road Project — from Windsor, Casey County, Kentucky, to Lawhorn Hill, Casey County, Kentucky.

With the expression of opinion that said bills ought to pass, with the exception of those above indicated.

Said bills were severally read at length the first time and ordered to be printed.

Mr. Alcock of the Committee on Fish and Game, to which the same had been previously referred, reported bills of the following titles, viz.:

H. B. 27. An Act changing the closed season on certain furbearing animals; provision for disposition of fines, provision for license for fur dealers, and penalties for violation of the provisions of this Act.

S. B. 142. An Act repealing Section 1905, subsection 3, Kentucky Statutes, Baldwin's 1926 Supplement to Carroll's 1922 Edition, being Sections 2 and 3 of Chapter 95 of the Acts of the General Assembly of 1926 and enacting in lieu thereof an Act empowering the State Game and Fish Commission to issue licenses to take, catch or kill mussels, and providing for the issuance of such licenses and fees therefor, and for preserving the records of said licenses.

H. B. 15. An Act for protection of quail or bobwhite; fixing open and closed seasons for same.

H. B. 355. An Act for the better protection of game and fish.

H. B. 16. An Act for protection of game and fish.

H. B. 219. An Act to amend Section 1954, subsection 1954b-8, Kentucky Statutes, Carroll's Edition 1922, regulating trapping and protection of furbearing animals, Section 1954b-8, trapping on lands of another without latter's written consent, forbidden; regulation of license, penalty for violators.

With the expression of opinion that said bills ought not to pass.

No motion having been made to advance said bills to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken by the House on said bills, said bills were rejected.

Mr. S. K. Holland moved that the Rules be suspended and that a bill entitled:

H. B. 281. An Act relating to revenue and taxation, imposing an excise license tax on gasoline and all other liquid fuels, including all liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of, and condensates from petroleum, natural gas, coal tar, vegetable ferments, and from all other products, so usable and sold in this Commonwealth at wholesale, as the words "at wholesale" are defined in this Act; except kerosene, fuel oil, and crude oil as such; providing for the collection of such tax; exempting gasoline from local excise and license taxes; the distribution and use of the revenue derived therefrom, the administration of said law, fixing fines and penalties for the violation of this act; repealing Chapter 69, Acts of 1926, the present gasoline tax law.

Be made a Special Order of the Day for next Wednesday, February 15, at 11 o'clock A. M.

Said motion was agreed to.

Mr. Jeter moved that Miss Elizabeth Crowe, daughter of the Honorable Robert T. Crowe of LaGrange, Kentucky, be made an Honorary Page of this House.

Said motion was agreed to.

The hours of 12:59 o'clock having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration a bill entitled:

S. B. 8. An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams, so as to connect such cities with an adjoining state; providing for a commission in such cities of the first class to construct, operate, control and maintain such bridges and fixing the powers and duties of such commission and providing for the issuance of revenue bonds of such cities to pay the cost thereof, payable solely through bridge tolls without the incurrence of indebtedness of any such city.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Definitions.—The word “bridge” whenever used in this Act, shall include the actual bridge between the shore lines of the river and the approaches thereto, including the sub-structures and the super-structures of both, and the necessary toll houses and equipment thereof, the word “approaches,” whenever used in this Act, shall be construed to mean all that portion of the bridge extending from the beginning of the approach to the furthestmost abutment of the bridge on the same side of the river, but not to include such abutment. The word “super-structure,” whenever used in this Act, shall be construed to mean all that portion of the bridge between the approaches. The term “Sub-structure,” whenever used in this Act, shall include all that portion of the bridge not included within the meaning of the definition of super-structure or the approaches, and shall include the piers and abutments. The term “Cost of Bridge” as used in this Act, shall include the cost of constructing the super-structure

and sub-structure of the bridge and the approaches thereto, and the cost of acquisition of the ground for the site of said bridge and the approaches thereto, "shall include the cost of the construction, the super-structure and sub-structure of the bridge and approaches thereto and the necessary toll houses and equipment thereof," including any franchises, easements, rights or damages incident thereto or consequent upon the taking thereof, "And during construction and prior thereto the necessary traffic estimates, interest upon bonds and such other expenses as after the beginning of operation would be a part of the cost of maintenance, operation and repairs. The words maintenance, operation and repair or similar words shall be deemed to include expenses for administration, audits, bridge insurance, indemnifying bonds, disbursements of moneys, trusteeship, engineering and incidental expenses." The "Commission" as used in this Act, shall be construed to mean the Commission formed in cities of the first class bearing the name of said city.

The term "owner" used in this Act, shall be construed to mean all individuals, incorporated companies and religious, benevolent, literary, or other societies or associations, having any title or interest in lands, structures, rights of way, franchises, easements or other interests in lands.

§ 2. Bridge Commission.—That the Mayor of any city of the first class, with the approval of the legislative body of the city may appoint four persons, who, with the Mayor ex-officio, shall constitute a Bridge Commission. Each appointee shall be at least twenty-five years of age. No officer or employe of said city, whether holding a paid or unpaid office shall be eligible to hold an appointment on said Commission. Such appointees shall be originally appointed for terms of four years. Upon the expiration of such terms appointments shall be made in like manner except that the terms of the four appointees shall be for one year, two years, three years and four years, respectively, and the successors of such appointees shall be appointed in like manner, each for a period of four

years. Not more than two of such appointees shall be members of the same political party. Vacancies shall be filled for any unexpired term in the same manner as the original appointment. The persons appointed as provided herein shall constitute a body corporate under the name of (insert name of city) Bridge Commission and shall have power to contract and be contracted with, to sue and be sued in that name and to adopt a seal and alter same at pleasure. Said Commission shall elect a Chairman and a Vice Chairman from its members, and a Secretary and Treasurer who need not be a member of such Commission. The members of the Commission, except the Mayor, shall receive such compensation as may be fixed by the legislative body of the city, either as a salary or as payment for meetings attended, but the maximum compensation of the Chairman in any year shall not exceed \$2,500.00 and of each other member shall not exceed \$500.00. The Commission shall fix the compensation of the Secretary and Treasurer in its discretion. The Commission shall have power to establish by-laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers under this Act. The Commission may employ engineering, architectural, and construction experts and inspectors and attorneys, and such other employees as may be necessary in its opinion, and fix their compensation, all of whom shall do such work as the Commission shall direct. All salaries and compensations shall be paid solely from funds provided under the authority of this Act.

§ 3. Powers of Bridge Commission.—The commission is hereby authorized and it shall be its duty to prepare the necessary and proper plans and specifications for the construction of bridges, to select the location for same, determine the size, type, and method of construction thereof, to plan and fix their boundaries and approaches, to make the necessary estimates of the probable cost of construction and the acquisition of the land and rights for the sites of the

abutments and the approaches to the bridges in a manner hereinafter provided, to enter into the necessary contracts, to build and equip the entire bridges and the approaches thereto, to build the super-structures and sub-structures thereof, to obtain such consent or authority as may be necessary from the Government of the United States and the approval of the Secretary of War and Chief of Engineers, and to cause a survey and map to be made of all lands, structures, rights of ways, franchises, easements or other interests in lands, including lands under water and riparian rights owned by any person, corporation or municipality, the acquisition of which may be deemed necessary for the construction of such bridges and to cause such map and survey to be filed in its office. The members of the Commission, or its agents and employees, may enter upon such lands and structures and upon lands under water within the Commonwealth notwithstanding any interests in such lands or structures, for the purpose of making such surveys and maps; provided, however, that the Commission shall not proceed to exercise or carry out any authority or power herein given it to bind said Commission beyond the extent to which money has been provided under the authority of this Act. No contract or agreement with any contractor or contractors for the construction of such bridges exceeding in amount the sum of Twenty-five hundred dollars (\$2,500.00) shall be made without advertisement for bids, which bids shall be opened publicly and an award made to the best bidder, with power in the Commission to reject any or all bids.

§ 4. Acquisition of Property.—The Commission is hereby authorized to purchase in the Commonwealth of Kentucky and in any adjoining state, solely from funds provided under the authority of this Act, such lands, structures, rights of way, franchises, easements or other interests in lands, including lands under water and riparian rights of any person, railroad, or other or private corporation or municipality, necessary for the building of said bridges and approaches

thereto upon such terms, prices or consideration as may be considered by it to be reasonable, and can be agreed upon between it and the owner or owners, title thereto to be taken in the name of the City.

§ 5. *Condemnation of Property.*—Whenever it shall become necessary to condemn property within the Commonwealth of Kentucky for the purpose of constructing any portion of said bridges or the approaches thereto, or securing rights of way leading to said approaches, the Commission may condemn any interest, franchises, easements, rights or privileges, land or improvements which may, in its opinion, be necessary for the purpose of constructing said bridges or the approaches thereto, or necessary for rights of way leading to said approaches. Condemnations shall be had in the name of the Commission and the method thereof shall be the same as that providing for the condemnation for appropriate municipal purposes by cities of the first class. The Commission is and shall be further empowered to exercise in the Commonwealth of Kentucky and in any adjoining State such powers of eminent domain as may be conferred upon the Commission by any Act of Congress of the United States now in force or which may hereafter be enacted. No payments or award in any condemnation proceedings or for the costs of such proceedings or the expenses thereof, shall be made except from funds provided under authority of this Act. Title to property condemned shall be taken in the name of the City.

§ 6. *Removal of Obstructions.*—All individuals or corporations having buildings, structures, works, conduits, mains, pipes, tracks, or other physical obstruction in, over or upon the public streets, lanes, alleys, highways or in, under or over the river over which the bridges are to be constructed, and which shall interfere with or impede the progress of said bridges when in process of construction and establishment, shall upon reasonable notice from the Commission promptly so shift, adjust, accommodate or remove the same at their own cost and expense, except as otherwise provided or re-

quired by law, as fully to meet the exigencies occasioning such action and the City Legislative Body shall have full power by ordinances to prescribe the penalty for such failure.

§ 7. Control by Commission. — The Commission shall operate, manage and control such bridges in their entirety, fix rate of tolls, establishing by-laws and rules and regulations for the use and operation of said bridges and select such employees as it deems necessary and fix their compensation.

§ 8. Public Ways and Works Restored to Original Conditions.—Any public ways or public works damaged or destroyed by reason of the building of such bridges or approaches shall be restored or repaired by the Commission and placed in their original condition as near as practicable.

§ 9. Revenue Bonds. — Nothing in this Act contained shall be so construed as to authorize or permit any city to incur any indebtedness of any kind or nature as contemplated by the provisions of the Constitution of the Commonwealth in relation to the indebtedness of cities. Cities of the first class are hereby authorized to provide funds for the purpose of this Act by the issuance of revenue bonds of such cities by an ordinance or resolution of the Commission and without a vote of the voters, the principal and interest of which bonds shall be payable solely from the special funds herein provided for such payment. Such revenue bonds shall bear interest at not more than Four and One-half per Centum ($4\frac{1}{2}\%$) per annum, payable semi-annually and shall mature in no more than twenty (20) years from their date or dates and may be made redeemable at the option of the city issuing the same, to be exercised through the Commission, at not more than the par value thereof and a premium of Five Per Centum (5%) under such terms and conditions as the Commission may fix prior to the issuance of such bonds. The Commission shall provide the form of such bonds, including coupons to be attached thereto to evidence interest payment, which bonds shall be signed by the Chairman of the Commission and by the Chief Executive Officer of the City under the City's seal, at-

tested by a financial officer of the City, and which coupons shall bear the facsimile signatures of said Chairman and said Chief Executive officer, and shall fix the denomination or denominations of such bonds and the place or places of payment of the principal and interest thereof, which may be at the office of the City Treasurer and/or any bank or trust company in the Commonwealth of Kentucky or in the City of New York. The said bonds shall be exempt from taxation by the Commonwealth of Kentucky and by the municipalities and political subdivisions thereof. The Commission may provide for the registration of such bonds in the name of the owner as to principal alone and as to both principal and interest. Such bonds may be sold in such manner as the Commission may determine to be for the best interest of the City, taking into consideration the financial responsibility of the purchaser and the terms and conditions of the purchase and especially the availability of the proceeds of the bonds when required for payment of the cost, such sale to be at not less than Ninety-two Cents (92c) on the dollar and accrued interest, and the proceeds of such bonds shall be used solely for the payment of the cost of the bridges as such cost is defined in this Act, and be checked out by the Chairman or Vice Chairman of the Commission and the Secretary and Treasurer thereof, and under such further restrictions, if any, as the Commission may provide. If the face amount of such bonds, less any discount on the sale thereof not exceeding Eight per centum (8%) of the face value as permitted by this Act, shall exceed such cost, the surplus shall be paid into the fund hereinafter provided for payment of the principal and interest of such bonds. The Commission shall have the right to purchase any of such bonds that may be outstanding at the market price, but at not exceeding 105 and accrued interest nor exceeding the price, if any, at which the same shall in the same year be redeemable, and all bonds redeemed or purchased shall forthwith be cancelled and shall not again be issued. Prior to the preparation of definite bonds the Commission

may, under like restrictions issue temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The Commission may enter into an agreement with any trust company in the Commonwealth as trustee for the holders of such bonds setting forth the duties of the City and the Commission in respect of the construction, maintenance, operation and insurance of any such bridge, the conservation and application of all funds, the insurance of moneys on hand or on deposit and the rights and remedies of said trustee and the holders of such bonds, restricting the individual right of action of bondholders as is customary in trust agreements respecting bonds of corporations. Said trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustees and the bond-holders as may be reasonable and proper, and also a provision for approval by the original bond purchasers of the appointment of consulting engineers and of the security given by the bridge contractors and by any bond or trust company in which the proceeds of bonds or bridge tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the Consulting Engineers. The said bonds may be issued without a vote of the voters and without any other proceedings or happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this Act or by the Constitution of the Commonwealth.

§ 10. Tolls.—The rates of tolls to be charged for the use of any bridge constructed under the provisions of this Act shall be fixed and adjusted as may be required by any law of the United States now in force or hereafter to be enacted, and shall be so fixed and adjusted as to provide a fund sufficient to pay the interest and principal of bonds issued under this Act, and to provide an additional fund to pay the cost of maintaining, repairing and operating such bridge. Such tolls, except such part thereof as may be necessary to pay such cost

of maintaining, repairing and operating during any period in which such cost is not otherwise provided for during which period the tolls may be reduced accordingly, shall be placed in a special fund which is hereby pledged to and charged with the payment of such bonds and the interest thereon.

§ 11. Such tolls, except for the cost of maintaining, repairing and operating the bridge, shall cease when such bonds and the interest thereon have been paid or a sufficient amount has been provided for such payment. After such payment, or when a sufficient sum shall have been provided for such payment and shall continue to be held for that purpose, and when and as long as the cost of maintaining, repairing and operating any such bridge shall be provided for through means other than tolls, no tolls shall be charged and such bridge shall be a free bridge.

§ 12. Whenever any bridge commission appointed under Section 2 of Chapter 116, Acts of 1926, shall have employed engineers or shall have caused plans and specifications of any bridge to be prepared which have been approved by the Secretary of War, or shall have taken any other proceedings which are authorized by this Act, having for their object the erection of any such bridge, the same shall be regarded as having been taken under this Act and it shall not be necessary to take any such proceedings again.

§ 13. Dissolution of Commission.—When all such bonds of any such city and the interest thereon shall have been paid or their payment fully provided for, the Commission shall stand dissolved. Thereupon the legislative body of such City shall assume the operation, maintenance and repair of any such bridge and, unless the cost of operation, maintenance and repair shall be otherwise provided for, shall assume the collection of tolls for the payment of such cost, and shall do any and all other acts and things that may be necessary and proper for the maintenance of such bridge for the use and convenience of the citizens of such city and other proper purposes.

§ 14. Supplementary Nature of This Act.—The powers hereby conferred are to be exercised without any restriction or limitation under any other law of the Commonwealth except the provisions of the Constitution of the Commonwealth, and such powers shall be regarded as supplementary and additional to powers which may be conferred by other laws. Cities of the first class may proceed under the provisions of this Act or at their option, under the provisions of Chapter 116, Acts of 1926, or of any other law conferring power to erect and operate any such bridge and to provide for the payment of the cost thereof.

§ 15. An Emergency.—An emergency being declared to exist, this Act shall take effect immediately from and after its passage and approval by the Governor as provided by law.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Sam P. Burnap	D. E. Edwards
A. L. Allen	E. L. Campbell	J. W. Edwards
S. E. Anderson	J. G. Campbell	J. O. Evans
W. B. Ardery	Chas. B. Carver	Virgil Eversole
W. O. Bach	Harry Cochran	W. J. Fisher
A. J. Baldridge	John Cooper	J. C. Flener
W. O. Baxter	J. O. Creech	Duke W. Fowler
T. H. Benton	C. B. Crossland	Chas. B. Fulton
Thos. L. Britton	E. J. Doss	J. B. Furlong
W. G. Buckner	W. M. Duncan	F. A. Gnau
S. J. Bunger	Thos. J. Dunn	R. C. Graham

W. T. Green	John B. Klefot	Levi W. Powell
E. L. Hagan	J. Porter Land	J. G. Prather
A. L. Hall	Leon P. Lewis	W. H. Pryor
John G. B. Hall	Wm. McClave	B. A. Robertson
T. W. Hardesty, Jr.	S. D. Laughlin	C. W. Ryans
Herman Handmaker	J. L. McKnight	Charles Smith
Brooks L. Hargrove	Wm. McRohan	Daniel Boone Smith
C. W. Hawkins	Clark Macdonald	S. G. Smith
J. R. Hobbs	Luther Morse	Dan Stamper
J. S. Hollan	C. C. May	Frank L. Strange
H. B. Holland	Henry Meiman	J. G. Swearingen
S. K. Holland	Harry J. Meyers	Mac Swinford
Robt. L. Horn	E. B. Miller	J. B. Taylor
W. F. Hunter	L. P. Murphy	E. G. Thomas
Lester Jeter	James H. Muse	P. H. Vincent
T. M. Johnson	Andrew Nichols	J. C. Watkins
John C. Kemper	J. H. Payne	J. A. White

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Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had adopted the following report of the Conference Committee heretofore appointed by the House and the Senate to take under advisement the differences existing between the two bodies appertaining to an amendment which originated in this House to a resolution which originated in the Senate entitled:

S. Res. 4. Resolution providing for a temporary assistant and a temporary combined bookkeeper-stenographer for the office of State Superintendent of Public Printing and fixing the per diem of each.

Said report is as follows, viz.:

We, the Conferees of the Committee on Conference heretofore appointed by the Senate and House of Representatives, to take under advisement the differences existing between the two bodies, appertaining to an amendment which originated in the House of Representatives to a resolution which originated in the Senate, being S. Res. 4 (for title see Journal above), respectively report and recommend the following amendment to the Resolution aforesaid, viz.:

Amend S. Res. 4 by striking out the last paragraph beginning in line 8 and continuing through lines 9, 10, 11 and 12 of said resolution, and inserting in lieu thereof the following:

The services of the assistant to the Superintendent of Public Printing shall be continued until the end of the fiscal year June 30, 1928, and the services of the bookkeeper-stenographer shall be continued until thirty days after the adjournment of this Legislative session and their compensation shall be at the same rate per diem as provided herein for their services rendered during the session, the same to be paid from the account of Public Printing and Binding.

T. O. Turner, Chairman
E. C. Walker
H. M. Brock
J. W. Howard
Mac Swinford, Chairman
Harry J. Meyers
C. F. Thornton
Lester Jeter
Garth K. Ferguson
W. B. Ardery

Said Conference Report was then adopted by the House.

Said resolution as amended by said Conference Report was then passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. J. Fisher	C. C. May
A. L. Allen	J. C. Flener	Henry Meiman
S. E. Anderson	Duke W. Fowler	Harry J. Meyers
W. B. Ardery	Chas. B. Fulton	L. P. Murphy
Walter J. Bailey	J. B. Furlong	James H. Muse
A. J. Baldridge	F. A. Gnau	Andrew Nichols
W. O. Baxter	R. C. Graham	J. H. Payne
Thos. L. Britton	W. T. Green	Levi W. Powell
W. G. Buckner	E. L. Hagan	J. G. Prather
S. J. Bungler	A. L. Hall	W. H. Pryor
Sam P. Burnam	John G. B. Hall	B. A. Robertson
E. L. Campbell	Herman Handmaker	Charles Smith
J. G. Campbell	Brooks L. Hargrove	Daniel Boone Smith
Chas. B. Carver	C. W. Hawkins	S. G. Smith
Harry Cochran	J. R. Hobbs	M. E. Sparks
John Cooper	J. S. Hollan	Dan Stamper
J. O. Creech	S. K. Holland	Frank L. Strange
C. B. Crossland	John C. Kemper	Mac Swinford
J. R. Dorman	John B. Klefot	E. G. Thomas
E. J. Doss	J. Porter Land	P. H. Vincent
W. M. Duncan	S. D. Laughlin	J. C. Watkins
Thos. J. Dunn	J. L. McKnight	J. A. White
D. E. Edwards	Clark Macdonald	
Virgil Eversole	Luther Morse	

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Mr. Meyers moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 411. An Act providing for the construction and reconstruction of sidewalks along or over any boulevards, parkways, avenues, driveways, or other public park property which are under the control of the board of park commissioners in cities of the first class; providing the manner in which such construction shall be made under the supervision of the board of public works and prescribing the method by which the cost thereof shall be apportioned against contiguous property.

S. Res. 2. Resolution authorizing A. J. Bush to sue the Commonwealth of Kentucky.

H. B. 128. An Act to repeal and re-enact Sections 6 and 15 of an Act to repeal and re-enact an Act entitled "An Act granting pensions to indigent and disabled Confederate soldiers," which act became a law March 11, 1912, and which act repealing and re-enacting it was Chapter 22b, Acts of 1914, page 115, and said Sections 6 and 15 of the 1914 re-enacted Act are now Sections 415b-6 and 415b-15 of the present 1922 edition of the Kentucky Statutes.

H. B. 287. An Act to amend Sections 1 and 2 of Chapter 121 of the Acts of the General Assembly of 1918, relating to the granting of pensions to indigent and disabled Confederate Soldiers.

S. B. 120. An Act to repeal and re-enact Sections 112-3 and 112-4 of the 1926 Supplement to Carroll's Kentucky Statutes, 1922 Edition, being Chapter 23 of the Acts of the General Assembly of 1924, relating to the office of Attorney General, providing for six assistant attorneys general, fixing the qualifications and salaries of said assistants, and providing for their expenses when called on business from the Capitol; and further providing for clerical and stenographic employes and their compensation.

H. B. 6. An Act creating a State Board of Education and prescribing its powers and duties.

H. B. 448. An Act providing that money appropriated by Congress under the "Forest Reserve Act" shall be paid to the State Auditor; duty of County Treasurer in regard to forest reserve land, etc.

H. B. 70. An Act to amend and re-enact Section 4 of Chapter 62 of the Acts of the General Assembly of 1914, relating to insurance policies and certificates, being Section 679 of Carroll's Kentucky Statutes, 1922 Edition.

With a Committee amendment thereto by way of Substitute therefor.

H. B. 366. An Act authorizing the Commissioner of Motor Transportation to credit the pro rata part of the unearned portion of license fees on motor vehicles used for transporting passengers for hire on the purchase of new license tags when any such motor vehicle has been destroyed by fire or other casualty and permanently withdrawn from use on the public highways.

S. B. 113. An Act to require the use of a suction or exhaust system upon polishing and grinding machinery to safeguard the health of workers, providing for enforcement and violation of this Act.

H. B. 264. An Act amending and re-enacting Section 786 of Carroll's Kentucky Statutes of 1922, relating to signals required to be given by railroads at highway crossings and prescribing a penalty for violation of the provisions.

H. B. 404. An Act to amend and re-enact Section 201E-23 of the 6th Edition of Kentucky Statutes, 1922, edited by John

D. Carroll, and which is Section 23 of Chapter 61 of the Acts of 1920 session of the General Assembly of the Commonwealth of Kentucky, relating to the powers and duties of the Railroad Commission.

H. B. 200. An Act to amend Section 3 of Chapter 11, page 31 of the Acts of the General Assembly 1918, entitled "An Act to abolish the Assessor's office, etc."

With a Committee Amendment thereto by way of Substitute therefor.

H. B. 428. An Act to amend and re-enact Sections 4130, 4135, 4143, 4146, 4147, 4148, 4151, subsections 2 and 4250 of the Kentucky Statutes, John D. Carroll's Edition 1915, as amended by Chapter 175 of the 1926 Acts of the General Assembly of the Commonwealth of Kentucky, all relating to revenue and taxation.

H. B. 431. An Act relating to revenue and taxation, providing for a license tax on certain businesses or occupations, and repealing existing statutes.

H. B. 358. An Act to regulate the standing of male animals for public service, specifying the blood lines of same, etc.

With a Committee Amendment thereto by way of Substitute therefor.

S. B. 47. An Act authorizing and empowering the State Board of Agriculture to anticipate the receipts and borrow money for the current expenses of the Kentucky State Fair.

H. B. 163. An Act relating to general elections and amending Chapter 1482a Kentucky Statutes, by striking therefrom the words "to burn and destroy unused ballots."

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

And then the House adjourned.

TUESDAY, FEBRUARY 14, 1928.

The House was opened with prayer by the Reverend Charles Welch of the Fourth Avenue Presbyterian Church of Louisville, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	John Cooper	R. C. Graham
A. L. Allen	J. O. Creech	W. T. Green
S. E. Anderson	C. B. Crossland	E. L. Hagan
W. B. Ardery	J. R. Dorman	A. L. Hall
W. O. Bach	E. J. Doss	John G. B. Hall
A. J. Baldridge	W. M. Duncan	T. W. Hardesty, Jr.
W. O. Baxter	Thos. J. Dunn	Herman Handmaker
T. H. Benton	D. E. Edwards	Brooks L. Hargrove
W. P. Bowman	J. W. Edwards	C. W. Hawkins
Thos. L. Britton	J. O. Evans	Joseph M. Hayse
W. G. Buckner	Virgil Eversole	Phillip Helf
S. J. Bunger	Chas. H. Fair	J. R. Hobbs
Sam P. Burnam	W. J. Fisher	J. S. Hollan
E. L. Campbell	Duke W. Fowler	H. B. Holland
J. G. Campbell	Chas. B. Fulton	S. K. Holland
Chas. B. Carver	J. B. Furlong	Ira L. Horn
Harry Cochran	F. A. Gnau	Robt. L. Horn

Josephus Howard	Luther Morse	C. W. Ryans
W. F. Hunter	C. C. May	Charles Smith
Lester Jeter	Henry Meiman	Daniel Boone Smith
T. M. Johnson	A. M. Mercer	S. G. Smith
John C. Kemper	Harry J. Meyers	M. E. Sparks
John B. Klefot	E. B. Miller	Dan Stamper
J. Porter Land	L. P. Murphy	Frank L. Strange
S. D. Laughlin	James H. Muse	J. G. Swearingen
Leon P. Lewis	Andrew Nichols	Mac Swinford
Wm. McClave	J. H. Payne	J. B. Taylor
J. L. McKnight	Levi W. Powell	C. F. Thornton
Wm. McRohan	J. G. Prather	J. C. Watkins
Clark Macdonald	W. H. Pryor	L. M. Weathers
J. L. Manning	B. A. Robertson	J. A. White

Mr. Jeter moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Fair moved that T. M. Zachary, county judge, George P. Gaines, ex-county clerk, and W. Sherman Allen of Casey County be extended the privileges of the floor.

Said motion was agreed to.

Mr. S. G. Smith moved that Hon. S. A. Carey, former member of this House and Judge John Jones and A. A. Hudleston, Commonwealth's Attorney of Burkesville, Kentucky, be extended the privileges of the floor.

Said motion was agreed to.

The House took up for consideration from the Clerk's desk, a resolution which originated in the Senate, entitled:

S. Res. 10. Resolution providing for the copies of the Legislative Digest adopted at the Session of 1926 as the official publication for the General Assembly and certain officials.

Said resolution is as follows, viz.:

Whereas:—It is a matter of importance and convenience that each Senator and Representative be advised as to the various and detailed steps of legislation; and,

Whereas:—This General Assembly for the past ten sessions has approved and adopted as its official publication “The Legislative Digest,” a publication under the editorship and management of competent and experienced persons, the purpose of which is to fully advise from day to day the officials and public of the Commonwealth as to matters affecting them in an intelligent and prompt manner; therefore

Be it resolved by the Senate of Kentucky, the House of Representatives concurring:

That the publishers of the Legislative Digest are hereby directed to furnish daily a copy to each member and the Clerks of the General Assembly, and to the heads of each state Department during the time of this session. That the publishers are allowed the sum of Ten Dollars for each subscription for the Session and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said amount when such service has been concluded. The total number shall not exceed (200) two hundred copies, which are to be paid for under this resolution.

Said resolution was adopted.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. O. Bach	T. H. Benton
A. L. Allen	A. J. Baldrige	Thos. L. Britton
S. E. Anderson	W. O. Baxter	W. G. Buckner

S. J. Bungler	E. L. Hagan	Luther Morse
E. L. Campbell	A. L. Hall	C. C. May
J. G. Campbell	John G. B. Hall	Henry Meiman
Chas. B. Carver	Herman Handmaker	Harry J. Meyers
Harry Cochran	Brooks L. Hargrove	L. P. Murphy
John Cooper	C. W. Hawkins	James H. Muse
C. B. Crossland	Joseph M. Hayse	Andrew Nichols
J. R. Dorman	Phillip Helf	J. H. Payne
E. J. Doss	J. R. Hobbs	Levi W. Powell
W. M. Duncan	J. S. Hollan	W. H. Pryor
D. E. Edwards	S. K. Holland	B. A. Robertson
J. O. Evans	Ira L. Horn	Charles Smith
Virgil Eversole	Robt. L. Horn	Daniel Boone Smith
Chas. H. Fair	Lester Jeter	S. G. Smith
W. J. Fisher	T. M. Johnson	Dan Stamper
J. C. Flener	John C. Kemper	Frank L. Strange
Duke W. Fowler	John B. Klefot	J. G. Swearingen
Chas. B. Fulton	S. D. Laughlin	J. B. Taylor
J. B. Furlong	Leon P. Lewis	J. C. Watkins
F. A. Gnau	J. L. McKnight	L. M. Weathers
R. C. Graham	Wm. McRohan	J. A. White
W. T. Green	J. L. Manning	

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Mr. Meyers moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Clerk's desk a resolution which originated in the Senate, entitled:

S. Res. 12. Joint Resolution memorializing Congress, etc.

Said resolution is as follows, viz.:

A JOINT RESOLUTION

OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH
OF KENTUCKY, SESSION OF 1928.

Memorializing the Congress of the United States to take prompt and favorable action upon, and to adopt legislation embodied in the Tyson-Fitzgerald Bill (H. B. 500-S 777) providing for relief for Disabled Emergency Army Officers who incurred physical disability in line of duty while in service of the United States during the World War.

Whereas, There were nine classes of officers in the World War, namely, (1) Regular Army Officers, (2) Regular Naval Officers, (3) Regular Marine Corps Officers, (4) Provisional Army Officers, (5) Provisional Naval Officers, (6) Provisional Marine Corps Officers, (7) Emergency Army Officers, (8) Emergency Naval Officers, (9) Emergency Marine Officers; and,

Whereas, All officers disabled in line of duty in the service of the United States during the World War are granted retirement privileges, except the Emergency Army officers, disabled in line of duty; and,

Whereas, It is simply justice to the Emergency Army officers who served in the World War and who were disabled in line of duty, to receive the same benefits accorded the other eight classes of officers; and,

Whereas, Numerous states and organizations have heretofore presented resolutions to the United States Senate and House of Representatives requesting that this condition be corrected; and,

Whereas, It is the sense of this body that same should be done; therefore, be it

Resolved, That the Congress of the United States be memorialized to make prompt and favorable action upon the Tyson-Fitzgerald Bill (H. B. 500 and S. 777), to the end that same be enacted into law and such discrimination against the

disabled Emergency Army Officers be rectified at the earliest moment possible; and be it further

Resolved, That the Chief Clerk of the Senate forward one copy each of this resolution to the President of the United States, to the President of the Senate, and to the Speaker of the House of Representatives of the United States and to our Senators and Representatives in the United States Congress.

Said resolution was adopted.

Mr. Meyers moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. J. G. B. Hall offered the following resolution, viz.:

HOUSE RESOLUTION

Whereas, Under an Act of March 19, 1912, authority was given for establishing drainage districts in the counties of Kentucky and for constructing drain ditches therein, and requiring the appointment of a county board of drainage commissioners, to be composed of three members who were given charge and control of all public ditches, drains, levees and similar improvements in the county, "except as otherwise provided;" and,

Whereas, by act of March 28, 1918, the above Act was amended by authorizing the appointment of one commissioner instead of three, and giving him all the power and authority that were vested in the three commissioners; and,

Whereas, two days before the above amendment was adopted the Legislature on March 26, 1918, enacted what, on its face purports to be a complete public drainage law, without repealing any law, as if there were no law governing the subject, and providing for the appointment of a county board

of drainage commissioners consisting of three members "Who shall have charge of and control of all such public ditches, drains, conduits, sewers, levees, improved water courses and similar improvements in such county," except as herein otherwise provided; and,

Whereas, great confusion prevails throughout the State in the efforts to operate under one or the other of these conflicting laws; now therefore be it

Resolved, That the Commissioner of Agriculture procure the drafting of a complete law covering public drainage, including all consistent and essential provisions of the laws in the Kentucky Statutes and such amendments and laws as may be enacted at the present session of the Legislature. He will select some member or members of the Senate or House or both who are in sympathy with this great need and who will assist him in this needed service, and he will report his performance in this matter to the Legislature at its next regular session for its consideration and further action.

Said resolution was adopted.

Mr. Jeter moved that the session of today be extended indefinitely.

Said motion was agreed to.

Upon a call of the counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Duncan:

H. B. 571. An Act to establish a State Primary Road project from a point in State Project No. 44 to a junction near Rutherford Schoolhouse with State Project (Lawrenceburg to Springfield).

By Mr. Helf:

H. B. 572. An Act to amend and re-enact Section 331e-15, Kentucky Statutes, Carroll's Edition 1915.

To Committee on Juvenile Courts and Children's Homes.

By Mr. Land:

H. B. 573. An Act to authorize the sale of and conveyance of real estate held by the University of Kentucky or by the Commonwealth for the use or benefit of said University, or held by the Commonwealth for the University of Kentucky for the use or benefit of the Kentucky Agricultural Experiment Station.

To Committee on State University.

By Mr. Graham:

H. B. 574. An Act to amend Sections 4110 and 4111, Kentucky Statutes, Carroll's 1915 Edition, relating to taxes on distilled spirits.

By same:

H. B. 575. An Act to amend and re-enact Sections 1 and 2 of Chapter 166 of the Acts of the General Assembly of 1926, approved March 19, 1926, entitled "An Act relating to revenue and taxation, etc."

By Mr. J. G. B. Hall:

H. B. 576. An Act to confer upon cities of the fourth class the right to acquire land and to construct and maintain thereon airports and landing fields within and beyond the limits of such cities.

To Committee on Cities of the 4th Class.

By same:

H. B. 577. An Act to provide for inquests upon incompetent persons, lunatics and idiots, and for the control of their persons and estates, etc.

To Committee on Charitable and Penal Institutions.

By Mr. Hayse:

H. B. 578. An Act to repeal and re-enact Section 2005-1 of Carroll's Kentucky Statutes, 1922 Edition.

By Mr. D. B. Smith:

H. B. 579. An Act relating to the law of sales of goods.

To Committee on Kentucky Statutes.

By Mr. Charles Smith:

H. B. 580. An Act to repeal and re-enact Section 2728, subdivision 2 of Kentucky Statutes, Carroll's 1922 Edition, being Section 2 of Article 7 of Chapter 79 of the Acts of the General Assembly of 1914.

To Committee on Mines and Mining.

By Mr. McRohan:

H. B. 581. An Act to appoint a commission consisting of Governor Flem D. Sampson, W. J. Curtis, of Piqua, Kentucky, and I. B. Ross of Carlisle, Kentucky, to erect a building at Blue Lick Springs on the land owned by the State Park Commission to be used as a museum to keep exhibits of pre-

historic bones, fossils, and relics, including those of Thomas W. Hunter, and to be known as the Thomas W. Hunter Collection; appropriating six thousand dollars for the erection of said building, etc.

To Committee on Appropriations No. 2.

By Mr. Benton:

H. B. 582. An Act to establish State Primary Road Project — from a point on the Beaver Dam-Morgantown road near Union School House in Ohio County, thence via Printis, Little Bend, Enola, to a point on the Rochester Mining City road at or near Monticello Church in Butler County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Watkins:

H. B. 583. An Act to amend and re-enact Section 1881s-1 Carroll's Kentucky Statutes, 1922, Sixth Edition, being Chapter 1 of the Acts of the General Assembly of 1914, relating to the powers of fiscal court to levy taxes for the purpose of building, erecting, improving and repairing courthouses and jails.

To Committee on County and City Courts.

Mr. Robertson moved that the Rules be suspended and that a bill entitled:

S. B. 86. An Act creating the Kentucky Geological Survey, designating its executive officer and his duties and providing funds for its maintenance,

Be made a Special Order of the Day for tomorrow at 10 o'clock A. M.

Said motion was disagreed to.

Mr. Hawkins moved that the Rules be suspended and that a bill entitled:

S. B. 120. An Act to repeal and re-enact Section 112-3 and 112-4 of the 1926 Supplement of Carroll's Kentucky Statutes, 1922, being Chapter 23, Acts of 1924, relating to the office of the Attorney General, etc.,

Be made a Special Order of the Day for Thursday, February 16, at 1 o'clock P. M.

Said motion was agreed to.

Mr. Swinford moved that former Senator White L. Moss be extended the privileges of the floor.

Said motion was agreed to.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. S. K. Holland of the Committee on Kentucky Statutes:

H. B. 517. An Act to amend Section 4683, Kentucky Statutes, Carroll's Edition, and being a portion of Session Acts of 1893, by striking from said section the following words and figures: fifteen hundred dollars, and inserting the words twenty-five hundred dollars.

S. B. 7. An Act to provide for the creation of a commission on uniform state laws, the appointment thereto of commissioners, and the payment of the expenses of such commissioners.

By Mr. Strange of the Committee on Appropriations
No. 2:

H. B. 442. An Act authorizing the Governor to appoint seven commissioners, to be known as commissioners of Perryville Battlefield, to have control and supervision over the maintenance and improvements of Perryville Battlefield, and appropriating five thousand dollars for the purpose of building a road from the public highway to Perryville Battlefield and for improvements of said property, and to provide for the maintenance of the monument and surrounding grounds, said commissioners to serve without compensation.

By Mr. Strange of the Committee on Appropriations

H. B. 415. An Act providing for teachers' institutes to be held in each county in Kentucky between the first day of September and the 20th day of September and providing for the payment of same that each Common School teacher who teaches in the Commonwealth of Kentucky shall attend at least one Institute each year, etc.

With Committee Amendments thereto.

S. B. 83. An Act relating to public education and providing for the conveyance of sites on the campus or other real estate now held or hereafter acquired by the University of Kentucky, any of the State Normal Schools or Teachers' Colleges and other State Educational Institutions, or now held or hereafter acquired by the Commonwealth of Kentucky for the use of any said institutions for buildings to be used in connection with such institutions; providing for the leasing of site and building to such institution at a rental which will amortize the cost of the erection of such buildings; and providing for the re-acquisition of the title thereto by such institution.

By Mr. E. B. Miller of the Committee on State Fair:

S. B. 68. An Act to appropriate five thousand dollars a year for each of the fiscal years 1928-1929 and 1929-1930 to the Kentucky State Fair for the purpose of meeting premium expenses of the said State Fair in promoting livestock contests for boys' and girls' club work and adult feeders in this Commonwealth, and providing for the apportionment of eighty per cent or more of said appropriation to boys' and girls' club work and twenty per cent or less of said appropriation to adult feeders, and providing for reports to the Auditor.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 280. An Act authorizing cities of the 3rd class, not having commission form of government, owning its system of water works, to provide by ordinance for the management and operation thereof by a board of water works.

With a Committee Amendment thereto by way of Substitute therefor.

H. B. 254. An Act to amend and re-enact an Act appearing in Chapter 98, 1924, approved on March 10, 1924, entitled "An Act to provide for the construction of sewers in cities of the 4th class, etc."

H. B. 314. An Act amending Section 9 of Chapter 86, Acts of the General Assembly of the Commonwealth of Ken-

tucky for 1926, relating to superintendent certificates and the qualifications of county school superintendents.

H. B. 343. An Act to provide for the distraining for graded common school taxes in graded school districts other than those in cities of the 1st, 2nd, 3rd and 4th Class.

H. B. 407. An Act to amend Sections 10 and 11 of Chapter 64, Acts of the General Assembly of the Commonwealth of Kentucky 1924, "An Act relating to registration for elections in cities and towns having a population of 5,000 inhabitants or more," approved March 21, 1924.

S. B. 109. An Act to prevent the fraudulent operation of slot machines and coin receptacles and to provide penalties for a violation thereof.

H. B. 291. An Act creating a State Board of Examiners and registration of architects, prescribing its powers and duties, providing for examinations and issuing certificates to qualified registered architects or architects and providing for penalties for violation of the provisions of the Act.

H. B. 324. An Act to amend Section 2117, Kentucky Statutes, Carroll's Edition 1922, Act of May 16, 1893.

H. B. 427. An Act to repeal Chapter 148 of Acts of 1926 of the General Assembly of the Commonwealth of Kentucky, being an act regulating the depositing of funds of the Commonwealth of Kentucky collected by county and district officials and trustees of the jury fund and providing a manner of keeping a daily record, etc.

H. B. 109. An Act to give to women jurors the privilege and right to claim absolute and peremptory exemption from jury service, when and where they so desire.

H. B. 463. An Act to repeal and re-enact Section 2047 Kentucky Statutes, which was originally Section 1 of Chapter 185 of the Acts of 1893, amended by Chapter 34, Section 7 of the Acts of 1904, and further amended by Chapter 120, Section 1 of the Acts of 1920, relating to the establishment, appointment, qualification, term of office, number of members and duties of the State Board of Health.

H. B. 311. An Act to provide for the sexual sterilization of inmates of the State Institutions in certain cases and to provide for procedure to protect the rights of such inmates.

H. B. 293. An Act to create a Board of Chiropractic Examiners and to regulate the practice of chiropractic and to provide penalties for violation of this Act and to prohibit the practice of any other mode or system under the name of chiropractic.

H. B. 357. An Act repealing and re-enacting Section 4356t-8, Kentucky Statutes, Carroll's 1922 Edition, relating to the construction of primary roads through cities and towns so that said section as re-enacted shall provide for the construction of primary roads through cities of the fifth and sixth classes, and providing for the payment of such construction.

With a Committee Amendment thereto by way of Substitute therefor.

H. B. 304. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Independence, Kenton County, to Devon, Boone County, and designating the same as State Project —.

H. B. 383. An Act establishing and making a road from Upton on Project 11 to Magnolia on Project 3 via Tallie

Schoolhouse and Brook's Schoolhouse, as a part of the State Highways, and designating said project as Project 11-N.

H. B. 330. An Act establishing and creating a road leading from Jackson, Breathitt County, Kentucky, via Guerrant or Highland Institute to Booneville, Owsley County, Kentucky, and making it part of the State System of Primary Roads.

H. B. 327. An Act to amend and re-enact Chapter 153, Acts 1924, relating to roads and bridges.

H. B. 337. An Act to amend Chapter 248, Acts of 1926, relative to roads and highways, by adding to them a portion of road beginning at Wheelwright Junction in Floyd County and running via Abner Fork to mouth of Indian Creek, Pike County, Kentucky.

H. B. 432. An Act creating road project, adding to the Highway System in Fulton County.

H. B. 437. An Act to add additional road projects to the Primary System of State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

H. B. 373. An Act adding to the Primary System of State Highways the road from Greenup, Kentucky, to Red-hot in Greenup County.

H. B. 374. An Act to establish State Primary Road Project from Brown's Garage on the River road in Greenup County to Argulite in the same county.

H. B. 385. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

H. B. 375. An Act to establish State Primary Road Project — from Cold Branch in Greenup County to Lynn, also in Greenup County.

H. B. 336. An Act creating a new primary road project from Prestonsburg, Floyd County, Kentucky, via Bonanza to Salyersville, Magoffin County, Kentucky.

H. B. 249. An Act placing a road in Boyle County upon the Primary System.

H. B. 250. An Act placing a road in Boyle and Washington Counties upon the Highways System.

H. B. 361. An Act to establish State Primary Road Project — from Princeton in Caldwell County via the Wilson Warehouse road and the Tradewater river bridge in the vicinity of Montgomery Ford or New Hope and the lower levee to Providence in Webster County.

H. B. 340. An Act creating and establishing a public road from Tar Hill via Clippet Chapel to State Highway 12, and making it a part of the State Primary Road System.

H. B. 326. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of 1920, which is Section 4356t-5 of Carroll's 1922 Kentucky Statutes, relating to roads and highways and establishing and creating Project 2¾.

H. B. 341. An Act creating and establishing a public road from Yeaman via Spring Lick to State Highway 12, and making it a part of the State Primary Road System.

H. B. 328. An Act to establish a new State Primary road leading from Yuma, Taylor County, Kentucky, via Knifley, Eunice, and Neatsville in Adair County, Kentucky, to Humble in Russell County, Kentucky.

H. B. 362. An Act to add to the Primary System a road beginning at the mouth of George's creek at Mayo Trail, ending with the Garrett Highway in Martin County near Stidham, Kentucky.

H. B. 302. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Covington, Kenton County, Kentucky, to a point on State Highway 13 near Union in Boone County and designating the same as State Project 13-A.

H. B. 214. An Act relating to roads and bridges and establishing and creating a road project extending from Brandenburg in Meade County to a point on Project 8A in Meade County, near Spinks' place, as a State Primary road.

H. B. 301. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from a point on State Project 103 where the Ryland Road intersects same to State Project 62 near Fiskburg in Kenton County, etc.

H. B. 305. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from a point on the eastern branch of the Dixie Highway at Nicholson to Covington in Kenton County, and designating the same as Project —.

H. B. 300. An Act relating to roads and highways and establishing as a part of the Primary System Project — leading from a point near Gils Springs P. O. to Riceville, Kentucky.

H. B. 316. An Act placing a road in Garrard County upon the Highways System.

H. B. 338. An Act to amend Chapter 248, Acts of 1926, relating to roads and highways by adding to them a portion of road beginning at mouth of Clear Creek on the Haymond Highway and running up said creek to Legan, Kentucky, and then across the hill and down Mud to Laynesville to Mayo Trail.

H. B. 303. An Act relating to roads and bridges and establishing as a part of the Primary System of State Highways a road leading from Sanfordtown on State Project 62 to Bromley on State Project 103 and designating the same as State Project —.

H. B. 331. An Act to add to the Primary System of public highways a road leading from U. S. Highway 60 one mile east of Lewisport, Hancock County, Kentucky, to Knott's bridge on line between Hancock and Daviess Counties, Kentucky, to be known as the Lewisport and Knott's Bridge road.

H. B. 332. An Act adding to the Primary System of roads from Fern Creek, etc.

H. B. 251. An Act placing a road in Mercer and Boyle Counties upon the Primary System.

H. B. 252. An Act placing a road in Boyle County upon the Primary System.

H. B. 370. An Act establishing State Primary Road Project — from Walltown, Casey County, Kentucky, to Gilpin, Casey County, Kentucky.

H. B. 371. An Act establishing Road Project — from Windsor, Casey County, Kentucky, to Lawhorn Hill, Casey County, Kentucky.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The hour of 11 o'clock having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration a bill entitled:

H. B. 243. An Act increasing the power and duties of the State Highway Commission for the purpose of enabling the commission, for the use and benefit of the Commonwealth of Kentucky, to build or cause to be built, to purchase, by condemnation or otherwise, and to own, as aforesaid, and operate bridges and approaches thereto across any stream in Kentucky or across any stream that is the boundary line between Kentucky and any other state; also to charge tolls for passage over said bridges; also to fix the rate of said tolls; also to issue and sell non-taxable, interest-bearing bonds, and to fix the rate of interest thereon, with which to build or cause to be built or purchase, by condemnation or otherwise, bridges and approaches thereto, also to fix the time of maturity of such bonds; also to provide by the collection of tolls for the money with which to retire said bonds and to pay the interest thereon; also to cover into the State Treasury all moneys collected hereby, and to create a special fund to be styled "The Highway Bridge Fund;" also to create a first lien on such tolls that may be collected for the use of any such bridge or approach thereto; also to direct and empower the Attorney General, upon the request of the State Highway Commission, to institute and conduct such condemnation proceedings as may be made under the provisions of this act, in which he shall have the cooperation and assistance of the county attorney or county attorneys of the county or counties in which the proceedings may be had; also to empower the Highway Commission to

place or provide for casualty insurance on any bridge which may be built or acquired under the provisions of this act; also to provide for the ownership by the Commonwealth of Kentucky of such bridges and approaches; also giving precedence in the courts of all matters that may come before any of the courts concerning the provisions of this act; also to define the meaning of the words "bond" and "approach;" also to limit the acts of any member of the Highway Commission or any of its employees relative to the acquirement of property as well as to the purchase or sale of any bond issued under this act, or any contract made by the commission; also to provide for the purchase of materials through the Purchasing Commission of this Commonwealth; also to empower the commission to reject any and all bids which may be made for material or for the erection of any bridge or approach thereto as well as any bid made to purchase any of said bonds; also providing that under certain limitations all materials shall be bought from and contracts let to the lowest and best bidder after being duly advertised; also providing for ample advertisement and for the opening of bids; also providing that any portion of this act which may be held to be unconstitutional shall not affect any other part of the act; also repealing all acts or parts of acts in conflict herewith to the extent they may be in conflict with this act, and also declaring an emergency clause, fixing the time when this act shall take effect.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Highway Commission be and hereby is authorized and empowered, as agents of the Commonwealth of Kentucky, to own real estate, bridges and the approaches thereto, and such other property as may be useful in connection therewith and to do all other things provided for in this act. And whenever and wherever herein the word

"bond" is used, either in the singular or plural, it shall be construed to mean "Bond or any other written evidence of indebtedness which the commission may issue in order to secure money with which to carry out the purposes of this act;" and, also, wherever in this act the word "approach" is used, it shall be construed to mean such spans or ramps and surfacing as may be necessary to afford proper and convenient access from a point on the natural ground not below usual high water elevation on one side of the stream to a like point on the other side, and over such distance as, in the opinion of the commission, is consistent with good engineering practice, to permit of access when the stream is at a high stage. No member of the commission, the State Highway Engineer nor any other employee of the commission shall have any interest in or association, either direct or indirect, with any person, or with any corporation, firm, company, association or partnership who or which may have any interest whatever in building or acquiring any bridge or in the sale or purchase of any bond that may be authorized by this act.

§ 2. The commission hereby is empowered to build or cause to be built, purchase, and own for the Commonwealth of Kentucky such bridges and approaches on the State primary system of highways across any stream in the Commonwealth of Kentucky or across any stream which is the boundary line between the Commonwealth of Kentucky and any adjoining state, as, in its opinion, may be necessary or desirable; and to pay for same out of any fund that may be made available by this act; and the commission hereby is empowered to acquire by gift, purchase or condemnation proceedings, any bridge, real estate or other property, real or personal, that in its opinion may be useful or helpful in ultimately doing away with toll bridges on the State primary system of highways; and there shall be made by the commission a specific approval of each and every item that goes into the cost of every bridge built or caused to be built or purchased by it; it being the purpose of this last named provision that

the commission shall be familiar with and approve every essential detail of every project entered into by the commission in order that no unnecessary or undesirable item may be entered into the cost of any bridge.

§ 3. When the commission can not acquire any bridge or the real or personal property, rights, privileges or easements needed for bridge or approach purposes, by agreement with the owner thereof, whether by reason of disagreement as to price, or the legal incapacity, or absence of the owner or his inability to convey valid title, or by the owner or owners being unknown, or by reason of any other cause, it shall be lawful for the commission to condemn and take any bridge, real estate or personal property, rights, privileges or easements deemed necessary to such bridge or approach thereto in the same manner, and the compensation to be paid therefor shall be ascertained and paid in the same manner as provided in Sections 835-840, inclusive, of Kentucky Statutes, for the condemnation of land by railroad companies. When it becomes necessary for the commission to condemn any bridge, real estate or personal property, rights, privileges or easements, the Attorney General shall represent the commission and shall be assisted by the county attorney or attorneys of the county or counties wherein lies the bridge, real estate or personal property, rights, privileges or easements sought to be acquired.

In all condemnation proceedings to acquire land on which to build a bridge or any approach thereto, land already appropriated to another public use, except land occupied as a right of way by a steam or electric railroad, may be condemned and taken, the building or public ownership of bridges on public highways being hereby declared to be paramount necessity.

§ 4. The said commission for the purpose of obtaining funds with which to acquire any right of way or other property deemed necessary for the building of any bridge or approach thereto; and for the purpose of obtaining funds with which to purchase any bridge or approach; by condemnation

or otherwise, and for the purpose of obtaining funds with which to build or cause to be built any bridge; and for the purpose of obtaining money with which to pay any and all expenses incidental to said building or purchase, including the approaches thereto, and such sum as may be necessary to pay the cost of preparing plans, specifications and blue prints, hereby is empowered to issue bonds in such amounts, bearing such rate of interest as may be deemed best by the said commission, which bonds shall become due and payable at any time after the expiration of one year that the commission may fix. The payment of said bonds, together with the interest thereon, shall be secured by a first lien on all tolls collected on said bridge or bridges.

The payment of no bond authorized by this act shall be an obligation of the Commonwealth of Kentucky; nor shall any bond be payable out of any fund except such as may be derived from bridge tolls. Said bonds shall be exempt from taxation and shall bear such rate of interest as will enable the commission to sell them at a price not less than par. If, however, the commission, in its judgment, should be unable to dispose of any bond or bonds, issued for one bridge only, at a satisfactory price, then the commission may couple or consolidate two or more bridges under one or more contracts and under the same bond issue, and the tolls or revenues derived from the several bridges built or purchased under the one bond issue shall be used for the payment and interest on account of one or all such bridges as thus may be coupled or consolidated.

§ 5. The commission, through its own engineers, shall design all bridges to be built; and, in their discretion, may build any or all bridges herein authorized to be built; or, it may let the building of any bridge or bridges by contract to any person, firm, partnership or corporation; which bridges, together with the approaches thereto, shall be paid for in the same manner that bridges built directly by the commission are to be paid for.

When any of the bonds authorized by this act become due, payment shall be made to the holder or holders of the bonds; and, as hereinbefore said, such payment shall be made only out of tolls collected on bridges; it being the intent of this Commonwealth to pledge nothing for the redemption of said bonds except money derived from bridge tolls; and, in addition thereto, its good faith in collecting tolls and applying same to payment of said bonds, and in morally aiding the payment of principal and interest on said bonds. The interest on said bonds shall be paid semi-annually, viz.: July 1st and January 1st. Any bond which may be issued under the provisions of this section, shall, like the bonds issued under any other section hereof, be free from taxation.

§ 6. The commission hereby is empowered to charge and collect tolls and fix the rates thereof for such length of time as, in the opinion of the commission, will be sufficient to pay off such bonds, and interest thereon, as may have been issued for the erection or purchase of any bridge or bridges; and may be retired at any time thereafter, not less, however, than one year after its or their issue. The rate of tolls to be charged and collected, if fixed in any bond or bonds, shall not be reduced without the consent of the holder or holders thereof.

§ 7. After any bonded indebtedness or lien shall have been fully paid or discharged on account of any bridge or bridges built or acquired under the provisions of this Act, then, thereafter, only such toll as may be deemed necessary by the commission to pay the cost of some extraordinary casualty or calamity shall be charged or collected for the use of any of the aforesaid bridges; and any or all of the bridges purchased or built and fully paid for shall become the property of the State Highway Commission for use and benefit of the Commonwealth of Kentucky.

§ 8. All purchases or contracts for the purchase of materials or supplies to be used in building or repairing bridges shall be made in accordance with the laws that now exist or

that hereafter may be adopted relating to the powers of the Purchasing Commission of this Commonwealth.

§ 9. All bridges or substantial portions thereof, including the approaches thereto, when built by contract made between the commission and any person, firm, co-partnership or corporation, shall be let to the lowest and best bidder after due advertisement thereof, and after the preparation of detailed plans and specifications therefor, which shall be submitted to all prospective bidders in ample time before a contract shall be awarded. The commission may reject any and all bids made either for material for construction or for the bonds or any one or more of them.

§ 10. All bonds which may be issued under or by authority of this Act, shall be sold to the highest and best bidder after having been duly advertised in such manner as the commission in its prudence may deem best, in accordance with all the provisions of this Act.

§ 11. All competitive bids received under the terms of this Act shall be opened and read publicly by the commission or its representatives at a designated place, day and hour, all of which shall be announced in such advertising as may be made relative thereto. "Advertising," as used in this Act, when not otherwise defined, shall be construed to mean such advertising where competitive bidding is sought as shall give actual and sufficient notice of not less than twenty (20) days to those who reasonably may be expected to make bids; and, in those cases in which competitive bidding is impracticable or impossible, in the opinion of the commission, it shall mean such advertising as shall give due notice to the public interested therein, and especially to that portion of the public which may be opposed to the purpose of the commission to purchase or enter into a proposed contract. The commission shall formulate a general plan for advertising, which plan shall be entered on its minutes and which shall be available to any person inquiring therefor.

§ 12. The commission may, in its discretion, carry a reasonable amount of casualty insurance on any bridge while under construction, which bridge is being built by the commission and not by contract; the said commission, in its discretion, is further empowered to carry a reasonable amount of insurance to cover any accident or destruction in part or in whole to any bridge until the same has been fully paid for and used only as a free bridge.

§ 13. The moneys collected under the provisions of this Act shall be covered into the State Treasury and constitute a fund styled "The Highway Bridge Fund;" and no part thereof shall be withdrawn from the Treasury except for the purposes herein specifically set out or reasonably implied.

§ 14. All Acts or parts of Acts in conflict herewith are hereby repealed to the extent that they are in conflict.

§ 15. Whereas, there is great need for additional bridges on the State Primary System of Highways in this Commonwealth, and whereas, there is a pressing need to abolish toll bridges and in their stead to establish bridges free of toll, therefore an emergency hereby is declared to exist, and because of that emergency this Act shall take effect from and after its passage and approval by the Governor.

With a Committee Amended thereto by way of substitute therefor.

Said Substitute is as follows, viz.:

An Act increasing the power and duties of the State Highway Commission for the purpose of enabling the commission, for the use and benefit of the Commonwealth of Kentucky, to build or cause to be built, to purchase by condemnation or otherwise, and to own, as aforesaid, and operate bridges and approaches thereto across any stream in Kentucky or across any stream that is the boundary line between Kentucky and any other state; also to charge tolls for passage over said bridges; also to fix the rate of said tolls; also

to issue and sell non-taxable, interest-bearing bonds, and to fix the rate of interest thereon, with which to build or cause to be built or purchase, by condemnation or otherwise, bridges and approaches thereto; also to fix the time of maturity of such bonds; also to provide by the collection of tolls for the money with which to retire said bonds and to pay the interest thereon; also to cover into the State Treasury all moneys collected hereby, and to create a special fund to be styled the "highway bridge fund," also to create a first lien on such tolls that may be collected for the use of any such bridge or approach thereto; also to direct and empower the Attorney General, upon the request of the State Highway Commission, to institute and conduct such condemnation proceedings as may be made under the provisions of this Act, in which he shall have the cooperation and assistance of the county attorney or county attorneys of the county or counties in which the proceedings may be had; also to empower the Highway Commission to place or provide for casualty insurance on any bridge which may be built or acquired under the provisions of this Act; also to provide for the ownership by the Commonwealth of Kentucky of such bridges and approaches; also giving precedence in the courts of all matters that may come before any of the courts concerning the provisions of this Act; also to define the meaning of the words "bond" and "approach;" also to limit the acts of any member of the Highway Commission or any of its employees relative to the acquirement of property as well as to the purchase or sale of any bond issued under this Act, or any contract made by the commission; also to provide for the purchase of materials through the Purchasing Commission of this Commonwealth; also to empower the commission to reject any and all bids which may be made for material or for the erection of any bridge or approach thereto as well as any bid made to purchase any of said bonds; also providing that under certain limitations all materials shall be bought from and contracts let to the lowest and best bidder after being duly advertised;

also providing for ample advertisement and for the opening of bids; also to provide that certain property already appropriated to another public use may be condemned and taken for the bridge purposes herein set out; and also declaring that the building or ownership of bridges and approaches contemplated by this act shall be a superior or paramount right or necessity; also providing that any portion of this Act which may be held to be unconstitutional shall not affect any other part of the Act; also repealing all Acts or parts of Acts in conflict herewith to the extent that they may be in conflict with this Act; and also declaring an emergency clause, fixing the time when this Act shall take effect.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Highway Commission be and hereby is authorized and empowered, as agents of the Commonwealth of Kentucky, to own real estate, bridges and the approaches thereto, and such other property as may be useful in connection therewith and to do all other things provided for in this Act, and whenever and wherever herein the word "bond" is used, either in the singular or plural, it shall be construed to mean "Bond or any other written evidence of indebtedness which the commission may issue in order to secure money with which to carry out the purposes of this Act;" and, also, wherever in this Act the word "approach" is used, it shall be construed to mean such spans or ramps and surfacing as may be necessary to afford proper and convenient access from a point on the natural ground not below usual high-water elevation on one side of the stream to a like point on the other side, and over such distance as, in the opinion of the commission, is consistent with good engineering practice, to permit of access when the stream is at a high stage. No member of the Commission, the State Highway Engineer nor any other employee of the commission shall have any interest in or association, either direct or indirect, with any person or

with any corporation, firm, company, association, or partnership who or which may have any interest whatever in building or acquiring any bridge or in the sale or purchase of any bond that may be authorized by this Act.

§ 2. The commission hereby is empowered to build or cause to be built, purchase, and own for the Commonwealth of Kentucky such bridges and approaches on the State Primary System of Highways across any stream in the Commonwealth of Kentucky or across any stream which is the boundary line between the Commonwealth of Kentucky and any adjoining state, as, in its opinion, may be necessary or desirable; and to pay for same out of any fund that may be made available by this Act; and the commission hereby is empowered to acquire by gift, purchase or condemnation proceedings, any bridge, real estate or other property, real or personal, that in its opinion may be useful or helpful in ultimately doing away with toll-bridges on the State Primary system of Highways; and there shall be made by the commission a specific approval of each and every item that goes into the cost of every bridge built or caused to be built or purchased by it; it being the purpose of this last named provision that the commission shall be familiar with and approve every essential detail of every project entered into by the commission in order that no unnecessary or undesirable item may be entered into the cost of any bridge.

§ 3. When the commission cannot acquire any bridge or the real or personal property, rights, privileges or easements needed for bridge or approach purposes, by agreement, with the owner thereof, whether by reason of disagreement as to price, or the legal incapacity, or absence of the owner or his inability to convey valid title, or by the owner or owners being unknown, or by reason of any other cause, it shall be lawful for the commission to condemn and take any bridge, real estate or personal property, rights, privileges or easements deemed necessary to such bridge or approach thereto in the same manner, and the compensation, to be paid there-

for shall be ascertained and paid in the same manner as provided in Sections 835-840, inclusive, Kentucky Statutes, for the condemnation of land by railroad companies. When it becomes necessary for the commission to condemn any bridge, real estate or personal property, rights, privileges or easements, the Attorney General shall represent the commission and shall be assisted by the county attorney or attorneys of the county or counties wherein lies the bridge, real estate or personal property, rights, privileges, or easements sought to be acquired. In any condemnation proceeding to acquire property for the purpose of establishing bridges ultimately to be used free of tolls as set out in this Act, any property, real or personal, including any bridge or bridges, together with approaches thereto, already appropriated to a public use, may be condemned and taken; the building and ownership and operation as set out in this Act hereby is declared to be a superior and paramount right and necessity. Provided, however, real estate used by any steam or electric railroad as a right-of-way shall be exempt from this provision.

§ 4. The said commission for the purpose of obtaining funds with which to acquire right-of-way or other property deemed necessary for the building of any bridge or approach thereto, and for the purpose of obtaining funds with which to purchase any bridge or approach, if by condemnation or otherwise, and for the purpose of obtaining funds with which to build or cause to be built any bridge; and for the purpose of obtaining money with which to pay any and all expenses incidental to said building or purchase, including the approaches thereto, and such sum as may be necessary to pay the cost of preparing plans, specifications and blue-prints, hereby is empowered to issue bonds in such amounts, bearing such rate of interest as may be deemed best by the said commission, which bonds shall become due and payable at any time after the expiration of one year that the commission may fix. The payment of said bonds, together with the interest

thereon, shall be secured by a first lien on all tolls collected on said bridge or bridges.

The payment of no bond authorized by this Act shall be an obligation of the Commonwealth of Kentucky; nor shall any bond be payable out of any fund except such as may be derived from bridge tolls. Said bonds shall be exempt from taxation and shall bear such rate of interest as will enable the commission to sell them at a price not less than par. If, however, the commission, in its judgment, should be unable to dispose of any bond or bonds, issued for one bridge only, at a satisfactory price, then the commission may couple or consolidate two or more bridges under one or more contracts and under the same bond issue, and the tolls or revenues derived from the several bridges built or purchased under the one bond issue shall be used for the payment and interest on account of one or all such bridges as thus may be coupled or consolidated.

§ 5. The commission, through its own engineers, shall design all bridges to be built; and, in their discretion, may build any or all bridges herein authorized to be built; or, it may let the building of any bridge or bridges by contract to any person, firm, partnership or corporation; which bridge, together with the approaches thereto, shall be paid for in the same manner that bridges built directly by the commission are to be paid for.

When any of the bonds authorized by this Act become due, payment shall be made to the holder or holders of the bonds; and, as hereinbefore said, such payment shall be made only out of tolls collected on bridges; it being the intent of this Commonwealth to pledge nothing for the redemption of said bonds except money derived from bridge tolls; and, in addition thereto, its good faith in collecting tolls and applying same to payment of said bonds, and in morally aiding the payment of principal and interest on said bonds. The interest on said bonds shall be paid semi-annually, viz.: July 1st and January 1st. Any bond which may be issued under the

provisions of this Section, shall, like the bonds issued under any other section hereof, be free from taxation.

§ 6. The commission hereby is empowered to charge and collect tolls and fix the rates thereof for such length of time as, in the opinion of the commission, will be sufficient to pay off such bonds, and interest thereon, as may have been issued for the erection or purchase of any bridge or bridges; and may be retired at any time thereafter, not less, however, than one year after its or their issue. The rate of tolls to be charged and collected, if fixed in any bond or bonds, shall not be reduced without the consent of the holder or holders thereof.

§ 7. After any bonded indebtedness or lien shall have been fully paid or discharged on account of any bridge or bridges built or acquired under the provisions of this act, then, thereafter, only such toll as may be deemed necessary by the commission to pay the cost of some extraordinary casualty or calamity shall be charged or collected for the use of any of the aforesaid bridges; and any or all of the bridges purchased or built and fully paid for shall become the property of the State Highway Commission for the use and benefit of the Commonwealth of Kentucky.

§ 8. All purchases or contracts for the purchase of materials or supplies to be used in building or repairing bridges shall be made in accordance with the laws that now exist or that hereafter may be adopted relating to the powers of the Purchasing Commission of this Commonwealth.

§ 9. All bridges or substantial portions thereof, including the approaches thereto, when built by contract made between the commission and any person, firm, co-partnership or corporation, shall be let to the lowest and best bidder after due advertisement thereof, and after the preparation of detailed plans and specifications therefor, which shall be submitted to all prospective bidders in ample time before a contract shall be awarded. The commission may reject any and

all bids made either for material for construction or for the bonds or any one or more of them.

§ 10. All bonds which may be issued under or by authority of this act, shall be sold to the highest and best bidder after having been duly advertised in such manner as the commission in its prudence may deem best, and in accordance with all the provisions of this act.

§ 11. All competitive bids received under the terms of this act shall be opened and read publicly by the commission or its representatives at a designated place, day and hour, all of which shall be announced in such advertising as may be made relative thereto. "Advertising," as used in this act, when not otherwise defined, shall be construed to mean such advertising where competitive bidding is sought as shall give actual and sufficient notice of not less than twenty (20) days to those who reasonably may be expected to make bids; and, in those cases in which competitive bidding is impracticable or impossible, in the opinion of the commission, it shall mean such advertising as shall give due notice to the public interested therein, and especially to that portion of the public which may be opposed to the purpose of the commission to purchase or enter into a proposed contract. The commission shall formulate a general plan for advertising, which plan shall be entered on its minutes and which shall be available to any person inquiring therefor.

§ 12. The commission may, in its discretion, carry a reasonable amount of casualty insurance on any bridge while under construction, which bridge is being built by the commission and not by contract; the said commission, in its discretion, is further empowered to carry a reasonable amount of insurance to cover any accident or destruction in part or in whole to any bridge until the same has been fully paid for and used only as a free bridge.

§ 13. The moneys collected under the provisions of this act shall be covered into the State Treasury and constitute a

fund styled "The Highway Bridge Fund;" and no part thereof shall be withdrawn from the Treasury except for the purposes herein specifically set out or reasonably implied.

§ 14. All acts or parts of acts in conflict herewith are hereby repealed to the extent that they are in conflict.

§ 15. Whereas, there is great need for additional bridges on the State primary system of highways in this Commonwealth, and whereas, there is a pressing need to abolish toll bridges and in their stead to establish bridges free of toll; therefore, an emergency hereby is declared to exist, and because of that emergency this act shall take effect from and after its passage and approval by the Governor.

Mr. Murphy moved that the House do now resolve itself into the Committee of the Whole House for the purpose of hearing the Hon. Ben Johnson, Chairman of the State Highway Commisison, explain the provisions of said bill.

Said motion was agreed to.

Thereupon the Speaker vacated the Chair and named Mr. Jeter as Chairman of the Committee of the Whole House.

After a time the Speaker resumed the Chair and Mr. Jeter of the Committee of the Whole House reported that they had heard the Hon. Ben Johnson discuss the merits and explain the provisions of said bill with interest and pleasure.

The hour of 12 o'clock having arrived, Mr. Fowler moved that the House do now recess for one hour.

Said motion was agreed to.

The hour of 1 o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order, and resumed the consideration of the aforesaid Special Order of the Day.

Mr. Swinford offered the following Amendment to said Substitute, viz.:

“Amend Substitute for H. B. 243 in Section 4, line 28, by adding after the word ‘consolidated’ the following words ‘and after the bonds on a designated coupled or consolidated group of bridges shall have been fully retired then all bridges contained therein shall forever thereafter be free bridges and free from all tolls.’ ”

Said Amendment was agreed to.

Mr. Meyers offered the following Amendment to said Substitute, viz.:

“Amend Substitute for H. B. 243 by inserting just before the emergency clause the following, ‘It is hereby declared to be the intention of the General Assembly of the Commonwealth of Kentucky that if any provision of this bill is held to be unconstitutional it shall not affect any other provision of the bill.’ ”

Said Amendment was agreed to.

Mr. Lewis offered the following Amendment to said Substitute, viz.:

Amend Substitute for H. B. 243 by striking out the first literary paragraph of Section 5 and by inserting in lieu thereof the following:

“The Commission may, through its own engineers, design all bridges the building of which is authorized by this Act; and may build same either with its own employees or by contract with any person, firm, or corporation; and any or all of such bridges, whether built by contract or by the Commission, shall be paid for out of the funds provided for by this

Act; Provided, however, that no bridge or bridges shall be built by the Commission with its own employees, except after such advertising for bids and the reception thereof, and the rejection thereof, as is now provided for the construction of highways under the control of said Commission, and subject to the further provisions of this Act as to advertising. The Commission may reject any and all bids."

Said Amendment was agreed to.

Mr. Handmaker offered the following Amendment to said Substitute, viz.:

Amend Substitute for H. B. 243 by adding at end of bill the following:

"No part of this act shall be so construed as to repeal or to be in conflict with an Act entitled: 'An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams, so as to connect such cities with an adjoining State; providing for a commission in such cities of the first class to construct, operate, control and maintain such bridges and fixing the powers and duties of such commission and providing for the issuance of revenue bonds of such cities to pay the cost thereof payable solely through bridge tolls without the incurrence of indebtedness of any such city.'"

Said Amendment was agreed to.

Said Substitute, as amended, was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Chas. B. Fulton	C. C. May
A. L. Allen	J. B. Furlong	Henry Meiman
S. E. Anderson	F. A. Gnau	A. M. Mercer
W. B. Ardery	R. C. Graham	Harry J. Meyers
W. O. Bach	W. T. Green	E. B. Miller
A. J. Baldrige	E. L. Hagan	L. P. Murphy
W. O. Baxter	A. L. Hall	James H. Muse
T. H. Benton	John G. B. Hall	L. C. Nell
W. P. Bowman	T. W. Hardesty, Jr.	Andrew Nichols
Thos. L. Britton	Herman Handmaker	J. H. Payne
W. G. Buckner	Brooks L. Hargrove	Levi W. Powell
S. J. Bungler	C. W. Hawkins	J. G. Prather
E. L. Campbell	Phillip Helf	W. H. Pryor
J. G. Campbell	J. R. Hobbs	B. A. Robertson
Chas. B. Carver	J. S. Hollan	C. W. Ryans
Harry Cochran	S. K. Holland	Charles Smith
John Cooper	Ira L. Horn	Daniel Boone Smith
C. B. Crossland	Robt. L. Horn	S. G. Smith
J. R. Dorman	W. F. Hunter	Dan Stamper
E. J. Doss	Lester Jeter	Frank L. Strange
W. M. Duncan	T. M. Johnson	J. G. Swearingen
Thos. J. Dunn	John C. Kemper	Mac Swinford
D. E. Edwards	John B. Klefot	J. B. Taylor
J. W. Edwards	S. D. Laughlin	E. G. Thomas
J. O. Evans	Leon P. Lewis	C. F. Thornton
Virgil Eversole	Wm. McClave	P. H. Vincent
Chas. H. Fair	Wm. McRohan	L. M. Weathers
W. J. Fisher	Clark Macdonald	J. A. White
J. C. Flener	J. L. Manning	
Duke W. Fowler	Luther Morse	

Mr. Meyers offered the following Amendment to the title of said bill, viz.:

“Amend title to H. B. 243 by adding thereto: ‘Also to provide that nothing in this Act shall repeal an Act entitled: An Act enabling cities of the first class to construct, operate and maintain bridges across navigable streams, so as to connect such cities with an adjoining State; providing for a commission in such cities of the first class to construct, operate, control and maintain such bridges and fixing the powers and duties of such commission and providing for the issuance of revenue bonds of such cities to pay the cost thereof payable solely through bridge tolls without the incurrence of indebtedness of any such city, also to provide that no bridge shall be built by the employees of the Highway Commission unless and until competitive bids, duly advertised for, shall have been received; also that the Commission may reject any and all bids; also that when two or more bridges are coupled or consolidated under one bond or under one contract that when such bridges have been paid for that thereafter no tolls shall be charged or collected on either or any such bridge or bridges.’”

Said Amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 187. An Act to repeal and re-enact Sections 6, 9, and 15 of an Act to repeal and re-enact an Act granting pensions to indigent Confederate Soldiers, etc.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 6 of Chapter 22b, Acts of 1914, page 115, now Section 415b-6 of the 1922 edition of Kentucky Statutes be amended and re-enacted so that when so re-enacted it will read as follows: That any Confederate veteran who has been an actual bona fide resident of this State continuously since January 1st, 1907 and who did actual military service in the Confederate army from the date of his enlistment till the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military and naval service of the Confederate States of America in the war of 1861-65, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1897 and who was living with him as his lawful wife at the time of his death and who has not remarried again since the death of her veteran husband shall be paid out of the State Treasury the sum of \$20.00 per month. The pay of all widows who may hereafter be allowed a pension under this act shall begin the next day after the death of her veteran husband, but no back pay shall be allowed to such widows for any time exceeding sixty days, and be it further enacted that any widow who was allowed a pension under the pension law while she was a citizen of Kentucky and who has no children or property in Kentucky may remain in another state and continue to draw her pension the same as if she was a citizen of Kentucky, but, such widow shall return to Kentucky and make her home in this State when requested to do so by the Pension Commissioner, and upon her refusal to return to this State upon the request of the Commissioner, he shall have the power to drop such widow from the Confederate pension rolls after giving her 30 days' notice by registered letter.

Provided that any officer or private soldier or sailor who deserted or was dishonorably discharged shall not be entitled to the benefits of this act unless he re-enlisted or returned to the service in the Confederate army and served until the close

of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty, which rendered him unable to perform further military service. Any soldier who was compelled at any time during the last six months of the war to take the Oath of Allegiance to the United States Government by sickness or starvation while confined as a prisoner in any one of the regular military prisons situated north of what is known as the Mason and Dixon line, to save his life as he verily believed at the time he took such oath, such soldier shall not be adjudged a deserter but shall have the same rights to a pension as if he had been honorably discharged or as if he had taken such Oath of Allegiance at the close of the war.

§ 2. That Section 9 of the same chapter and Acts, now Section 415b-9 of the 1922 edition of Kentucky Statutes be amended and re-enacted so that it will read as follows: And, it is further enacted that no person shall be entitled to the benefits of this Act who receives a pension from the United States or any other State or foreign government or any other source, or who removes from this State or is absent therefrom for a period of 4 months. All limitations as to ownership of property of any and all kinds are hereby repealed and all Confederate veterans shall have the right to a pension under the Confederate Pension Law, regardless of his or her financial condition.

§ 3. That Section 15 of the same act, now section 415b-15, be amended and re-enacted so that it will read as follows: When a pension shall have been allowed, the Commissioner shall issue to the applicant the pension certificate showing that he or she is entitled to a pension at the rate of \$20.00 per month from the date that the petitioner's application is filed in the Commissioner's office, with proof of service in the Confederate army sufficient to bring such veterans within the provisions of the Confederate pension law. No back pay shall be allowed any veteran prior to furnishing such proof as referred to above, and upon which the pension is allowed.

Payments shall be made upon said certificates quarterly each year, on the 15th day of February, May, August and November, upon the proper execution of a voucher by the pensioner before an officer authorized to administer oaths and having a seal. The voucher shall be furnished to the pensioner by the Commissioner and returned to him after being properly executed. The Commissioner shall then prepare the pension roll for the quarterly payment, with the post-office address and the amount due each pensioner, and file the same together with the vouchers with the Auditor. The Auditor shall then issue his warrants upon the Treasury for the respective sums and the Treasurer shall forward a Treasury check to the address of each pensioner. In the event there is not sufficient funds in the hands of the Treasury to justify the issuing of the pension checks thus provided for, the Auditor's warrants shall be stamped interest bearing by the Treasurer, at the rate of five per cent and mailed to the pensioner.

§ 4. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. Prather offered the following Amendment to said bill, viz.:

Amend H. B. 187 in line 14 by striking out the period following the word "month" and substituting a comma. Following this comma insert the words "provided that any deceased veteran's wife who was his lawful wife at the time of his death, who is now a widow and indigent, and over eighty years of age, even if she may have remarried since her veteran husband's death, shall be included under the benefits of this act and entitled to \$20.00 a month as provided for other widows of veterans."

Mr. Gnau moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

Mr. May moved that the House take up for consideration from the Clerk's desk a bill entitled:

H. B. 72. An Act to amend Section 415b-6, Kentucky Statutes, Carroll's 1922 Edition, which same relates to Confederate soldiers' pensions.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 415b-6, Kentucky Statutes, Carroll's 1922 Edition, which relates to pensions for Confederate soldiers, and which is Section 6 of an Act of the General Assembly of 1914, as amended by an Act of the General Assembly of 1918, be and the same is now amended by striking from said section the words and figures "twelve dollars (\$12.00)" and inserting in lieu thereof the words and figures "twenty (\$20.00) dollars," so that as thus amended the said section will read as follows:

That any indigent or disabled person who has been an actual bona fide resident of this state continuously since January 1, 1907, and who did actual military service in the Confederate army from the day of his enlistment until the close of the war or until he was honorably discharged as an officer or a private soldier or sailor in the military or naval service of the Confederate States of America in the war of 1861-5, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death shall be paid out of the state treasury the sum of twenty dollars (\$20.00) per month upon the proof of the fact according to forms and regulations prescribed by this act and conditions prescribed therein: Provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by rea-

son of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer or private soldier or sailor who deserted or was dishonorably discharged, shall not be entitled to the benefits of this act unless he be re-enlisted or return to the service in the Confederate army and serve until the close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service.

Mr. May offered the following Amendment to said bill, viz.:

Amend H. B. 72 by striking from line 16 of the printed bill the words and figures "January 1, 1890" and inserting in lieu thereof the words and figures "January 1, 1905."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. B. Ardery	W. O. Baxter
A. L. Allen	W. O. Bach	T. H. Benton
S. E. Anderson	A. J. Baldrige	W. P. Bowman

Thos. L. Britton	W. T. Green	Henry Meiman
W. G. Buckner	E. L. Hagan	A. M. Mercer
S. J. Bunger	A. L. Hall	E. B. Miller
E. L. Campbell	John G. B. Hall	L. C. Nell
J. G. Campbell	T. W. Hardesty, Jr.	Andrew Nichols
Chas. B. Carver	Herman Handmaker	J. H. Payne
Harry Cochran	Brooks L. Hargrove	J. G. Prather
John Cooper	C. W. Hawkins	W. H. Pryor
J. O. Creech	Phillip Helf	C. W. Ryans
C. B. Crossland	J. R. Hobbs	Charles Smith
E. J. Doss	S. K. Holland	S. G. Smith
W. M. Duncan	Ira L. Horn	Dan Stamper
Thos. J. Dunn	Lester Jeter	J. G. Swearingen
D. E. Edwards	T. M. Johnson	Mac Swinford
J. W. Edwards	John C. Kemper	J. B. Taylor
J. O. Evans	John B. Klefot	E. G. Thomas
Chas. H. Fair	J. Porter Land	C. F. Thornton
W. J. Fisher	S. D. Laughlin	P. H. Vincent
Duke W. Fowler	Leon P. Lewis	J. C. Watkins
Chas. B. Fulton	Wm. McRohan	L. M. Weathers
J. B. Furlong	Clark Macdonald	J. A. White
F. A. Gnau	Luther Morse	
R. C. Graham	C. C. May	

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Resolved that the title thereof be as aforesaid.

Mr. May moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Baldridge moved that the Rules be suspended and that the House take up for immediate consideration a bill entitled:

S. B. 128. An Act to repeal and re-enact Sections 6 and 15 of An Act to repeal and re-enact an Act entitled "An Act granting pensions to indigent and disabled Confederate soldiers," which act became a law March 11, 1912, and which

act repealing and re-enacting it was Chapter 22b, Acts of 1914, page 115, and said Sections 6 and 15 of the 1914 re-enacted act are now sections 415b-6 and 415b-15 of the present 1922 Edition of the Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 6 of Chapter 22b, Acts of 1914, page 115, now section 415b-6 of the 1922 edition of Kentucky Statutes be amended and re-enacted so that when so re-enacted it will read as follows: That any Confederate veteran who has been an actual bona fide resident of this State continuously since January 1, 1907, and who did actual military service in the Confederate army from the date of his enlistment till the close of the war or until he was honorably discharged as an officer or private soldier or sailor in the military and naval service of the Confederate States of America in the war of 1861-65, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1890, and who was living with him as his lawful wife at the time of his death and who has not re-married again since the death of her veteran husband shall be paid out of the State Treasury the sum of \$20.00 per month upon proof of the fact according to forms and regulations prescribed by this Act and conditions therein: Provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this Act as though he had served until the close of the war or until honorably discharged; and provided further that any officer or private soldier or sailor who deserted or was dishonorably discharged, shall not be entitled to the benefits of this Act unless he be re-enlisted or returned to the service in the Confederate army and served until the

close of the war or until he was honorably discharged or was prevented from so serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service.

§ 2. That section 15 of the same act, now section 415b-15, be amended and re-enacted so that it will read as follows: "When a pension shall have been allowed, the Commissioner shall issue to the applicant the pension certificate showing that he or she is entitled to a pension at the rate of \$20.00 per month from the date that the petitioner's application is filed in the Commissioner's office, with proof of service in the Confederate army sufficient to bring such veterans within the provisions of the Confederate pension law. No back pay shall be allowed any veteran prior to furnishing such proof as referred to above, and upon which the pension is allowed.

Payments shall be made on said certificates quarterly each year; on the 15th day of February, May, August and November, upon the proper execution of a voucher by the pensioner before an officer authorized to administer oaths and having a seal. The voucher shall be furnished to the pensioner by the Commissioner and returned to him after being properly executed. The Commissioner shall then prepare the pension roll for the quarterly payment, with the post office address and the amount due each pensioner, and file the same together with the vouchers with the Auditor. The Auditor shall then issue his warrants upon the Treasury for the respective sums and the Treasurer shall forward a Treasury check to the address of each pensioner. In the event there is not sufficient funds in the hands of the Treasury to justify the issuing of the pension checks thus provided for, the Auditor's warrants shall be stamped interest bearing by the Treasurer, at the rate of five per cent and mailed to the pensioner.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

§ 4. There being many old and needy veterans, and widows of veterans, of the Confederate army now in need of

the aid offered by this bill, there is declared to be an emergency, and for this reason this act shall take effect and be in force from and after its passage and approval by the Governor.

Mr. J. G. B. Hall offered the following Amendment to said bill, viz.:

Amend S. B. 128 by inserting after the word "prior" at the end of line 13 these words "to January 1, 1910" in lieu of "January 1, 1890."

Said Amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Hall and Swinford, were as follows, viz.:

Those who voted in the affirmative were—

W. O. Bach	W. M. Duncan	C. C. May
W. O. Baxter	D. E. Edwards	Andrew Nichols
W. G. Buckner	John G. B. Hall	J. G. Prather
S. J. Bunger	Robt. L. Horn	Mac Swinford
John Cooper	T. M. Johnson	P. H. Vincent
J. R. Dorman	S. D. Laughlin	—17

Those who voted in the negative were—

J. Curtis Alcock	C. B. Crossland	W. T. Green
A. L. Allen	E. J. Doss	E. L. Hagan
S. E. Anderson	Thos. J. Dunn	Brooks L. Hargrove
W. B. Ardery	J. W. Edwards	J. S. Hollan
A. J. Baldrige	J. O. Evans	S. K. Holland
W. P. Bowman	Virgil Eversole	Ira L. Horn
Thos. L. Britton	Chas. H. Fair	Lester Jeter
Sam P. Burnam	W. J. Fisher	John C. Kemper
J. G. Campbell	J. C. Flener	J. Porter Land
Chas. B. Carver	Chas. B. Fulton	Leon P. Lewis
Harry Cochran	J. B. Furlong	Wm. McClave

Wm. McRohan	J. H. Payne	M. E. Sparks
Clark Macdonald	Levi W. Powell	Dan Stamper
J. L. Manning	W. H. Pryor	J. B. Taylor
A. M. Mercer	B. A. Robertson	E. G. Thomas
L. P. Murphy	Charles Smith	C. F. Thornton
L. C. Nell	S. G. Smith	L. M. Weathers

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Mr. Prather offered the following Amendment to said bill, viz.:

Amend S. B. 128 by adding at the end of Section 1 the following, "Provided that any widow of a Confederate veteran who was his lawful wife at the time of his death, even though she may have remarried, if she be now a widow and over 80 years of age, shall be entitled to the benefits of this act the same as if she had not remarried."

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. P. Bowman	Harry Cochran
A. L. Allen	Thos. L. Britton	John Cooper
S. E. Anderson	W. G. Buckner	C. B. Crossland
W. B. Ardery	S. J. Bunker	E. J. Doss
W. O. Bach	Sam P. Burnam	W. M. Duncan
A. J. Baldridge	E. L. Campbell	Thos. J. Dunn
W. O. Baxter	J. G. Campbell	D. E. Edwards
T. H. Benton	Chas. B. Carver	J. W. Edwards

J. O. Evans	S. K. Holland	L. P. Murphy
Virgil Eversole	Ira L. Horn	L. C. Nell
Chas. H. Fair	W. F. Hunter	Andrew Nichols
W. J. Fisher	Lester Jeter	J. H. Payne
J. C. Flener	T. M. Johnson	Levi W. Powell
Duke W. Fowler	John C. Kemper	J. G. Prather
Chas. B. Fulton	John B. Klefot	W. H. Pryor
J. B. Furlong	J. Porter Land	Charles Smith
R. C. Graham	S. D. Laughlin	Daniel Boone Smith
W. T. Green	Leon P. Lewis	S. G. Smith
E. L. Hagan	Wm. McClave	M. E. Sparks
A. L. Hall	J. L. McKnight	J. G. Swearingen
John G. B. Hall	Wm. McRohan	Mac Swinford
T. W. Hardesty, Jr.	Clark Macdonald	J. B. Taylor
Herman Handmaker	J. L. Manning	E. G. Thomas
Brooks L. Hargrove	Luther Morse	C. F. Thornton
C. W. Hawkins	C. C. May	J. C. Watkins
Phillip Helf	Henry Meiman	L. M. Weathers
J. R. Hobbs	A. M. Mercer	J. A. White
J. S. Hollan	E. B. Miller	

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Resolved that the title thereof be as aforesaid.

Mr. Baldridge moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Land moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 15, 1928.

The House was opened with prayer by the Reverend J. E. Moss of the Methodist Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Chas. B. Fulton	J. L. Manning
A. L. Allen	J. B. Furlong	Luther Morse
S. E. Anderson	F. A. Gnau	C. C. May
W. B. Ardery	R. C. Graham	Henry Meiman
W. O. Bach	W. T. Green	Harry J. Meyers
Walter J. Bailey	E. L. Hagan	E. B. Miller
A. J. Baldridge	A. L. Hall	L. P. Murphy
W. O. Baxter	John G. B. Hall	James H. Muse
T. H. Benton	T. W. Hardesty, Jr.	L. C. Nell
W. P. Bowman	Herman Handmaker	Andrew Nichols
Thos. L. Britton	Brooks L. Hargrove	J. H. Payne
W. G. Buckner	C. W. Hawkins	Levi W. Powell
S. J. Bunker	Joseph M. Hayse	J. G. Prather
Sam P. Burnam	Phillip Helf	W. H. Pryor
E. L. Campbell	J. R. Hobbs	B. A. Robertson
J. G. Campbell	J. S. Hollan	C. W. Ryans
Chas. B. Carver	H. B. Holland	Charles Smith
Harry Cochran	S. K. Holland	Daniel Boone Smith
John Cooper	Ira L. Horn	S. G. Smith
J. O. Creech	Robt. L. Horn	M. E. Sparks
C. B. Crossland	Josephus Howard	Dan Stamper
E. J. Doss	W. F. Hunter	Frank L. Strange
W. M. Duncan	Lester Jeter	Mac Swinford
Thos. J. Dunn	T. M. Johnson	J. B. Taylor
D. E. Edwards	John C. Kemper	E. G. Thomas
J. W. Edwards	J. Porter Land	C. F. Thornton
J. O. Evans	S. D. Laughlin	P. H. Vincent
Virgil Eversole	Leon P. Lewis	J. C. Watkins
Chas. H. Fair	Wm. McClave	L. M. Weathers
W. J. Fisher	J. L. McKnight	J. A. White
J. C. Flener	Wm. McRohan	
Duke W. Fowler	Clark Macdonald	

Mr. Meyers moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Upon a call of the Counties and Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Horn:

H. B. 584. An Act to establish a road from Bowling Green road to Simpson County Line.

To Committee on Roads and Highways No. 2.

By same:

H. B. 585. An Act to establish a road from Fitchpatric Store to Amos.

To Committee on Roads and Highways No. 2.

By same:

H. B. 586. An Act to establish a road leading from Scottsville to Barefoot.

To Committee on Roads and Highways No. 2.

By Mr. Laughlin:

H. B. 587. An Act to repeal Subsection — of Section 9-a of the Motor Vehicle Laws of the State of Kentucky, and being part of Chapter 90 of Session Acts of 1926; and providing that sheriffs, constables and other peace officers shall make arrests of all persons violating the provisions of the Motor Vehicle Laws of the Commonwealth; and to receive a fee of two dollars upon conviction of the person arrested; providing a penalty of Fifty to One Hundred dollars if such officers fail or refuse to enforce the provisions of the Motor

Vehicle Laws; that the Circuit Court shall call the attention of the Grand Juries to this provision; and providing that the County and Commonwealth Attorneys shall call the attention of the Grand Juries to any sheriffs, constables or other peace officers failing or refusing to arrest person or persons violating the Motor Vehicle Laws of the Commonwealth of Kentucky.

To Committee on Motor Transportation.

By Mr. Laughlin.

H. B. 588. An Act to establish a State Primary road, Project No. —, from Dover in Mason County, Kentucky, to Augusta in Bracken County, Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 589. An Act to establish an additional project to the present State Highway System of the Commonwealth of Kentucky beginning at a point on State Highway Project No. 21½ about one-half mile west of Augusta in Bracken County at the intersection of said Project No. 21½ and what is known as the Ohio Valley Pike, to Bradford in Bracken County.

To Committee on Roads and Highways No. 3.

By Mr. Kemper:

H. B. 590. An Act relating to the Assessment of live stock and domestic fowls, and to repeal, amend and re-enact Sections 4019a-5 and 4019a-10 of Kentucky Statutes, Carroll's Edition of 1922, as amended by Sections 3 and 7 of Chapter 116 of the Acts of the General Assembly of 1924, approved March 4, 1924.

To Committee on Revenue and Taxation No. 1.

By Mr. Baldridge:

H. B. 591. An Act to repeal Section 1137-1 of Kentucky Statutes, Carroll's Edition, and being Chapter 38, page 111 of the Acts of 1910, and as amended by Chapter 163, page 693 of the Acts of 1920, providing for the infliction of death penalty by electrocution and for the offense of rape by hanging; and adopting the mode of the execution of death sentence by hanging by the sheriff publicly at the County Seat in the county where the offense was committed, upon a scaffold; and that the scaffold shall remain twenty-one days after execution.

To Committee on Criminal Law.

By same:

H. B. 592. An Act to repeal and re-enact Chapter 53 of the Acts of the General Assembly of Kentucky, 1926 Session, relating to the time and places of holding Circuit Courts in the twenty-fourth Judicial District of Kentucky.

To Committee on Circuit Courts.

By Mr. Meiman:

H. B. 593. An Act amending that part of "An Act" entitled, An Act dividing the Commonwealth of Kentucky into 100 Representative Districts, relating to the 63rd, 64th, and 65th Legislative Districts, being Section 2003, Carroll's Kentucky Statutes, 1922 Edition.

To Committee on Cities of Second and Third Class.

By Mr. Howard:

H. B. 594. An Act to amend Section 21 of Chapter 80, Acts of Kentucky for the year 1914, approved March 23, 1914,

being Section 4307 of Carroll's Kentucky Statutes, relating to the issue of road and bridge bonds by the Fiscal Courts.

To Committee on Kentucky Statutes.

By Mr. Johnson:

H. B. 595. An Act to add to the Primary Road System a road leaving the Dixie Highway in Warren County to the intersection of said highway and Porter Pike, running thence via Gotts, Polkville, Kepler and Hydro to connect with route from the Warren and Barren County line to Glasgow via Railton, Red Cross and Beckton, to be known and designated as Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. Meyers:

H. B. 596. A Bill to impose a license on all persons, firms or corporations rating more than five stores in Kentucky, said license to be on each store so operated and to be in addition to the licenses imposed by law on merchants based on purchases.

To Committee on Cities of 2nd and 3rd Class.

A message was received from the Senate announcing that they had passed bills which originated in this House of the following titles, viz.:

H. B. 156. An Act to amend and re-enact Section 1954c-9, 1954c-10, 1954c-23, Kentucky Statutes, Carroll's Edition, and Section 1954c-25, Kentucky Statutes, Carroll's Edition, as amended by Chapter 93 of the Acts of 1926, providing penalties for trespass on Game Preserves, increasing the percentage of the game and fish protection fund which may be ex-

pended each year for conducting fish hatcheries and game preserves; providing that conviction for violation of the game and fish law shall forfeit the license held by the person convicted and suspend such person from securing a license for one year, and reducing the amount of non-resident hunters' license to Ten Dollars and Fifty Cents (\$10.50).

H. B. 43. An Act entitled an Act to amend and re-enact Sections 498 and 498-a, of Kentucky Statutes 1915, compiled by the Hon. John D. Carroll, relating to release and assignment of lien and mortgage notes, defining the Clerk's duties and providing fees therefor:

H. B. 42. An Act to provide for the submission to the voters of this State of a Constitutional Amendment permitting in the future the submission of a greater number than two amendments to the Constitution to be voted on at any one time.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

And that they had passed bills which originated in that body of the following titles, viz.:

1. S. B. 21. An Act to repeal Section 7 of Chapter 17 of the Acts of the General Assembly of the year 1920, which section is known as Section 4356t-7 of the Kentucky Statutes relating to the condemnation of rights of way and the manner of paying for same, and to re-enact in lieu of said section the following, which relates to the condemnation of the rights-of-way and the manner and payment to the land-owners for rights-of-way taken and the funds out of which it should be paid, and said section when re-enacted shall read as follows. etc.

2. S. B. 144. A Bill to Amend Subsection 4, Section 606, of the Civil Code of Practice concerning the competency of witnesses generally.

3. S. B. 152. An Act authorizing official stenographic reporters for all Circuit Courts in this Commonwealth to take depositions in shorthand and compel the attendance of witnesses and to administer oaths in any County in this Commonwealth.

4. S. B. 216. A Bill providing for the quarantine and control of the European corn borer; imposing certain powers and duties on the Department of Agriculture; providing penalties; providing an appropriation for carrying out the provisions of the same.

S. B. 258. An Act authorizing George Hunt, Joseph W. Bosley and M. I. Forbes, doing business under the firm name and style of Hunt-Forbes Construction Company, to sue the State of Kentucky and the State Highway Commission of the State of Kentucky.

6. S. B. 297. An Act repealing and re-enacting Section 4356t-8 Kentucky Statutes, Carroll's 1922 Edition, relating to the construction of primary roads through cities and towns so that said Section as re-enacted shall provide for the construction of primary roads through cities of the fifth and sixth classes, and providing for the payment of such construction.

Ordered that said bills be printed and referred:

1. To Committee on Roads and Highways No. 1.
2. To Committee on Codes of Practice.
3. To Committee on Circuit Courts.

4. To Committee on Agriculture.
5. To Committee on Claims.
6. To Committee on Roads and Highways No. 1.

And that they had passed a resolution which originated in that body, entitled:

S. Res. 14. Resolution to authorize John W. Langley to pursue the practice of law.

Said resolution is as follows, viz.:

Joint Resolution to authorize John W. Langley to pursue the practice of law.

Be It Resolved by the Senate of the Commonwealth of Kentucky, the House of Representatives concurring therein,

That John W. Langley, of Pikeville, Pike County, Kentucky, be and he is hereby authorized to immediately enter in, upon, and pursue the practice of the profession of law in all the courts of this Commonwealth, notwithstanding the provisions of Sections 97 of the Kentucky Statutes, Carroll's Edition, 1922, and 95 of former editions.

Said resolution was adopted.

The Committees to which same had been previously referred reported bills of the following titles, viz.:

By Mr. Jeter of the Committee on Appropriations No. 1:

H. B. 504. An Act appropriating One Thousand Dollars for the purchase, erection and maintenance of a bell to be known as the "Kentucky Chime" in the Washington Chapel at Valley Forge, Pennsylvania.

H. B. 123. An Act for the benefit of the Home for Incurables.

H. B. 121. An Act to amend Chapter 138 of the Session Acts of 1922 entitled "An Act for the benefit of the Red Cross Association (Colored) of Louisville," by increasing the appropriation therein from Five to Ten Thousand Dollars per annum and increasing the bond required thereunder from Ten to twenty thousand Dollars.

By Mr. Gnau of the Committee on Cities of the 1st Class:

H. B. 455. An Act to amend Section 22 and Section 24 of an Act entitled "An Act to amend the school laws and to create Board of Education and to define their duties in cities of the First Class," being Section 2978a-22 and Section 2978a-24, respectively, of Carroll's Kentucky Statutes, Edition of 1922.

H. B. 453. An Act to provide for the transportation of crippled children and certain other pupils to and from the public schools in cities of the First Class.

By Mr. Nichols of the Committee on Codes of Practice:

S. B. 97. An Act to repeal and re-enact Section 75 of Carroll's Criminal Code of Practice, Seventh Edition 1927 (the same being Chapter 44 of the 1924 Acts of the General Assembly of Kentucky).

H. B. 519. An Act amending subsection 1, of section 492 of the Kentucky Civil Code of Practice to authorize sales of property held for twenty years after the execution of the deed or the probation of the will which forbids a sale, where such changes shall have occurred in the value or the condition of the property as to make a sale and re-investment of the proceeds

materially beneficial to the owners and for the appointment of a trustee to conserve and re-invest such proceeds of sale under the direction of the court.

With a Committee Amendment thereto.

By Mr. S. K. Holland of Committee on Kentucky Statutes:

H. B. 539. An Act to amend Section 138, Carroll's Edition of Kentucky Statutes, being Section 2 of Chapter 154, Session Acts 1893, by striking out Two Thousand Dollars in said section, and inserting in lieu thereof Two Hundred Thousand Dollars, and by striking out Two Thousand Dollars per annum, and inserting in lieu thereof, "to be fixed by the Auditor," and striking from said section, "and the further sum of Thirteen Thousand Seven Hundred Dollars is hereby allowed to the auditor annually to enable him to employ and pay such clerks as he may deem necessary for the proper discharge of the business of his office."

H. B. 558. An Act authorizing and empowering counties having a city of the second class to purchase, construct and reconstruct bridges over or tunnels under any boundary line stream of this Commonwealth (including the Ohio river) and to negotiate, purchase or obtain suitable and necessary approaches thereto from or in an adjoining State or any subdivision thereof, etc.

By Mr. J. B. Hall of Committee on Public Ditches:

H. B. 76. An Act to repeal and re-enact Section 2380, subsection 7, Kentucky Statutes, Carroll's Edition 1922, relating to the appointment and qualification and compensation of drainage commissioners and the salaries of their secretaries.

With Committee Amendment thereto.

S. B. 52. An Act to amend the law relating to Public Ditches and Drains and the Maintenance of such Ditches, amending Section 2380, subsection 39, Kentucky Statutes.

Mr. T. M. Johnson of Committee on Court of Appeals:

S. B. 69. An Act to give relief to the Court of Appeals by giving it authority to appoint four commissioners of said court, prescribing their qualifications, and term of office, their method of selection, their salary, and for clerical assistance.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

By Mr. S. K. Holland of the Committee on Kentucky Statutes:

H. B. 158. An Act to amend Section 3747a-1, Carroll's Kentucky Statutes, approved March 15, 1926, relating to the publication of Official Reports of Public Officials in newspapers, and prescribing penalties, excepting cities of the First Class.

H. B. 159. An Act to amend an Act entitled An Act relating to the rates of newspaper advertising, etc.

With the expression of opinion that said bills ought not to pass.

No motion having been made to advance said bills to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken by the House on said bills, said bills were ordered rejected.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 517. An Act to amend Section 4683, Kentucky Statutes, Carroll's Edition, and being a portion of Session Acts of 1893, by striking from said section the following words and figures, Fifteen hundred Dollars, and inserting the words Twenty-five Hundred Dollars.

S. B. 7. An Act to provide for the creation of a commission on uniform state laws, the appointment thereto of commissioners, and the payment of the expenses of such commissioners.

H. B. 442. An Act authorizing the Governor to appoint seven commissioners, to be known as Commissioners of Perryville Battlefield, to have control and supervision over the maintenance and improvements of Perryville Battlefield, and appropriating Five Thousand Dollars for the purpose of building a road from the public highway to Perryville Battlefield and for improvements of said property, and to provide for the maintenance of the monument and surrounding grounds, said commissioners to serve without compensation.

H. B. 415. An Act providing for Teachers' Institutes to be held in each county in Kentucky between the first day of September and the 20th day of September, and providing for the payment of same that each Common School teacher who teaches in the Commonwealth of Kentucky shall attend at least one Institute each year, etc.

With Committee Amendments thereto.

S. B. 83. An Act relating to public education and providing for the conveyance of sites on the campus or other real estate now held or hereafter acquired by the University of

Kentucky, any of the State Normal Schools or Teachers' Colleges and other State Educational Institutions, are now held or hereafter acquired by the Commonwealth of Kentucky for the use of any of said institutions for buildings to be used in connection with such institutions; providing for the leasing of site and building to such institution at a rental which will amortize the cost of the erection of such buildings; and providing for the re-acquisition of the title thereto by such institution.

S. B. 68. An Act to appropriate Five Thousand Dollars a year for each of the fiscal years 1928-1929, and 1929-1930 to the Kentucky State Fair for the purpose of meeting premium expenses of the said State Fair in promoting live-stock contests for boys' and girls' club work and adult feeders in this Commonwealth, and providing for the apportionment of eighty per cent or more of said appropriation to boys' and girls' club work and twenty per cent or less of said appropriation to adult feeders, and providing for reports to the Auditor.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Ordered that Mr. Bailey be granted an indefinite leave of absence.

Mr. Hawkins moved that when the hour of 1 o'clock P. M. arrives today, that this House stand adjourned until tomorrow at 1 o'clock P. M.

Said motion was agreed to.

Mr. Jeter moved that the Rules be suspended and that a bill entitled:

H. B. 293. An Act to create a Board of Chiropractic Examiners and to regulate the practice thereof, etc.,

Be made a Special Order for Friday, February 17, at 11 o'clock A. M.

Said motion was agreed to.

Mr. Laughlin moved that the Rules be suspended and that a bill entitled:

H. B. 357. An Act repealing and re-enacting Section 4356t-8 Kentucky Statutes, Carroll's 1922 Edition, relating to the construction of primary roads through cities and towns so that said section as re-enacted shall provide for the construction of primary roads through cities of the 5th and 6th class, etc.,

With a Committee Amendment thereto by way of Substitute therefor,

Be taken up for immediate consideration.

Said motion was agreed to.

Mr. Hargrove moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

Mr. Robertson moved that the Rules be suspended and that a bill entitled:

S. B. 86. An Act creating the Kentucky Geological Survey, designating its executive officer and his duties and providing funds for its maintenance,

Be taken up for immediate consideration.

Said motion was agreed to.

Thereupon the House took up for consideration from the Orders of the Day, the aforesaid bill.

Said bill is as follows, viz.:

Whereas, it has been shown that there are good and workable and commercially important deposits of rock asphalt, cement materials and other minerals in about twenty separate counties in Kentucky, and whereas at the present time rock asphalt deposits and cement materials are being operated at only a few points in Kentucky; and whereas, by reason of this fact the total available production is limited in quantity; and whereas there is a great need of a larger supply of this road building material as indicated by the message of the Governor; and whereas there are other large and valuable and undeveloped deposits of road material, including limestones and clays suitable for the manufacture of Portland cement in the State of Kentucky; and whereas detailed information concerning many of these deposits has not been prepared and is not now available, in the interests of economy of road construction and the advancement of general prosperity throughout the State; and whereas such information can be prepared and furnished if the Geological Survey be properly financed to prepare such detailed information; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That for the purpose of base (co-operative topographic and geologic) mapping of rock asphalt, sandstones and ce-

ment materials including suitable limestones and clays and associated deposits in the counties of Carter, Greenup, Lewis, Rowan, Elliott, Morgan, Menifee, Johnson, Powell, Pulaski, Edmonson, Grayson, Breckinridge, Hancock, Hardin, Hart, Warren, Butler, Muhlenberg, Ohio, Logan, Lyon, Christian and Todd, and in other counties in which such deposits may be found in course of field examination and for the printing and engraving of maps and reports covering these and other completed examinations and for such other general purposes of geological survey administration as may pertain thereto, and which the Director of the Kentucky Geological Survey may indicate or deem proper, there is hereby appropriated the sum of seventeen thousand (\$17,000) dollars per annum, all of which is available during the fiscal years ending June 30th, 1928, and June 30th, 1929, from any moneys in the Treasury not otherwise appropriated, and in addition to the appropriation made by the Budget Acts of 1928. The Director and State Geologist shall write and publish the results of these investigations as soon as possible, the printing and distribution of such maps and reports to be carried out as is provided for hereinafter.

That section 8 of aforesaid act be and the same is hereby repealed, and same is now amended and re-enacted, and as amended and re-enacted, shall read as follows, to-wit:

The geological, mineral resources and other reports of the survey shall be prepared as rapidly as possible, and shall be reviewed, edited and approved for printing by the Director of the Kentucky Geological Survey, the cost thereof to be paid out of the funds of the Kentucky Geological Survey. The Director of said Survey is authorized to publish in the daily and weekly newspapers, trade journals, geological magazines, or in pamphlet or book form or otherwise, as he may deem proper, any geological discoveries or results of explorations or investigations which he may deem to be of especial interest, the cost of such publications and that of all other general printing, including reports and maps called for in this and

other sections of this Act, to be paid for out of any funds appropriated to said survey, and any moneys received for such maps and reports, together with any other moneys earned or received by the Survey, which latter shall be paid into the State Treasury, received by the Treasurer and by him credited to the general funds of the Kentucky Geological Survey, and same to be and remain a fund for the use of said Survey. Such bulletins, reports and maps as may be prepared by the Kentucky Geological Survey shall be sold at the nominal charge of the approximated cost thereof to the State, plus **average postage**, the price thereof to be determined by the Director and State Geologist. Provided, however, that the Director shall furnish single copies of such maps and bulletins and reports as may be published to members of the General Assembly and to State Executive and Administrative Officers and certain Libraries and professional Publications and exchanges without payment.

All laws or parts of laws in conflict with this Act or its provisions are hereby repealed and held for naught.

Since there is much data and information in the hands of the Director of the Kentucky Geological Survey with relation to road materials, clays, building stones, fluorspar, coal and petroleum, etc., which would be of incalculable use and benefit to the State of Kentucky and to the public generally, in the form of information, reports and proposed maps, and it being impossible to furnish the persons entitled thereto with the information, reports and maps without the necessary means therefor, and since Kentucky is being retarded in the proper development of its resources, especially rock asphalt and other road building materials, by reason of a lack of base maps and detailed information, an emergency is declared to exist, and this Act shall be and become a law immediately upon its passage and proper endorsement.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. B. Furlong	Clark Macdonald
A. L. Allen	F. A. Gnau	J. L. Manning
S. E. Anderson	R. C. Graham	Luther Morse
W. B. Ardery	W. T. Green	C. C. May
W. O. Bach	E. L. Hagan	A. M. Mercer
A. J. Baldrige	A. L. Hall	Harry J. Meyers
W. O. Baxter	John G. B. Hall	E. B. Miller
W. P. Bowman	T. W. Hardesty, Jr.	L. P. Murphy
Thos. L. Britton	Herman Handmaker	James H. Muse
W. G. Buckner	C. W. Hawkins	L. C. Nell
S. J. Bungler	Phillip Helf	Levi W. Powell
Sam P. Burnam	J. R. Hobbs	J. G. Prather
E. L. Campbell	J. S. Hollan	W. H. Pryor
J. G. Campbell	S. K. Holland	B. A. Robertson
Chas. B. Carver	Ira L. Horn	Charles Smith
Harry Cochran	Robt. L. Horn	Daniel Boone Smith
John Cooper	Josephus Howard	S. G. Smith
J. O. Creech	W. F. Hunter	M. E. Sparks
E. J. Doss	Lester Jeter	Frank L. Strange
W. M. Duncan	T. M. Johnson	J. G. Swearingen
Thos. J. Dunn	John C. Kemper	Mac Swinford
D. E. Edwards	John B. Klefot	J. B. Taylor
J. W. Edwards	J. Porter Land	E. G. Thomas
J. O. Evans	S. D. Laughlin	C. F. Thornton
W. J. Fisher	Leon P. Lewis	P. H. Vincent
J. C. Flener	Wm. McClave	J. C. Watkins
Duke W. Fowler	J. L. McKnight	J. A. White
Chas. B. Fulton	Wm. McRohan	

Resolved that the title thereof be as aforesaid.

Mr. Strange moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The hour of 11 o'clock having arrived, that being the hour for the Special Order of the Day, the House took up for consideration a bill entitled:

H. B. 281. An Act relating to revenue and taxation, imposing an excise or license tax on gasoline and all other liquid fuels, including all liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of, and condensates from petroleum, natural gas, coal tar, vegetable ferments, and from all other products, so usable and sold in this Commonwealth at wholesale, as the words "at wholesale" are defined in this act; except kerosene, fuel oil, and crude oil as such; providing for the collection of such tax; exempting gasoline from local excise and license taxes; the distribution of said law, fixing fines and penalties for the violation of this act; repealing Chapter 69, Acts of 1926, the present gasoline tax law.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the word "gasoline" as used in this act shall include all liquid fuels, including liquids ordinarily, practically and commercially usable in internal combustion engines for the generation of power, and all distillates of, and condensates from petroleum, natural gas, coal, coal tar, vegetable ferments, and all other products, so usable and sold in this Commonwealth at wholesale, as the words "at wholesale" are defined herein, except kerosene, fuel oil and crude

oil as such. A State tax of five (5) cents per gallon is hereby imposed on all gasoline, as defined herein, sold in this Commonwealth at wholesale, as the words "at wholesale" are hereinafter defined. No other excise or license tax shall be levied or assessed on gasoline by the State or any county, city, town or other district. The tax hereby provided for shall be paid by the person, firm, association or corporation so selling gasoline, and shall be paid by said person, firm, association or corporation into the general fund of the State Treasury in the manner and within the time hereinafter specified. The words "at wholesale," as used in this act, shall be held and construed to mean and include any and all sales made for the purpose of re-sale or distribution, or for use, and, as well, the gasoline furnished or supplied for distribution within this State, whether the distributor be the same person who so furnished the same, his agent or employe, or another person; and also to mean and include any person who shall purchase or obtain gasoline without the State and sell or distribute or use the same within the State. Provided, that nothing herein contained shall be construed as authorizing or requiring the collection of such tax upon any gasoline after the same shall have been already once taxed under the provision of this Act.

§ 2. All taxes collected under the provisions of this act shall be paid into the State Treasury, and shall be used only for the purpose of the construction, reconstruction, maintenance, and repair of roads, highways and bridges.

§ 3. Every person, or the treasurer or other proper officer or agent of every association, co-partnership or corporation selling gasoline at wholesale, as defined herein, shall keep and preserve an accurate record of all such sales, distribution and uses of gasoline, and shall on or before the last day of each month transmit to the State Tax Commission a statement, under oath or affirmation, on such forms as the State Tax Commission prescribe of the total number of gallons of gasoline sold, distributed or used in each county of the State from their respective place or places of business so

registered under the provisions of section 7 hereof during the preceding calendar month, which gallons are made taxable by this act, and shall accompany said report by a certified or cashier's check, payable to the State Treasurer of Kentucky, for the amount of tax due for such preceding calendar month.

§ 4. If any such person, association, co-partnership or corporation neglects or refuses to make said return, or pay the tax at the time hereinbefore provided, the amount thereof, with an addition of a penalty of twenty per centum thereof, with interest at the rate of six per cent per annum from the date when due until paid, shall be paid on account settled by the State Tax Commission, as other taxes are paid, settled and collected; and, if collected by proceedings in any court, an additional penalty of twenty per centum shall be collected as is authorized to be collected in revenue agents' proceedings under section 4263-4 of the Kentucky Statutes.

The said twenty per centum penalty thereon and interest due shall be paid into the State Treasury as part of the tax, and the twenty per centum penalty collected in revenue agents' proceedings shall be distributed as provided in section 4263-4 of the Kentucky Statutes.

§ 5. The State Tax Commission, or any assistant or representative thereof, appointed in writing by it, is hereby authorized to examine the books, records, papers, files and equipment of any person, association, co-partnership or corporation pertaining to the business made taxable by this act, and to that end, shall have the power to examine witnesses under oath to verify the accuracy of any return made under the provisions of this act, or to ascertain whether or not any tax is due by any person, association, co-partnership or corporation under the provisions of this act, and in the collection of said tax, the State Tax Commission shall have the power to institute legal proceedings for the purpose of ascertaining the amount of tax due and the collection thereof with the penalties thereon, and the State Tax Commission shall be vested

with all the powers under the law of the State for the collection of taxes. The State Tax Commission may, at or after the commencement of an action for the purpose of collecting the amount of tax due and penalties and interest due thereon as set out herein have an attachment against the property of the defendant, including garnishees, without the execution of a bond upon the filing of an affidavit showing the nature of the claim, that it is just, the sum which the State Tax Commission believes the plaintiff ought to recover and the collection of the demand will be endangered by delay in obtaining judgment or a return of no property found. Any information gained by the State Tax Commission, or any assistant, agent or representative thereof, as a result of the reports, investigations or verifications herein required to be made, shall be confidential, and any person divulging such information shall be guilty of a misdemeanor, and, upon conviction, shall be fined not exceeding five hundred dollars (\$500); providing, however, that this prohibition shall not extend to information required in prosecutions for making false reports or returns or in the preparation and prosecution of legal proceedings for the collection of any tax due under the provisions of this act, or any prosecutions for any other infraction of the tax laws of this State. If any witness shall fail or refuse to appear at the request of the State Tax Commission, or refuses access to any books, records, files, papers or equipment, the State Tax Commission shall certify such fact and the name of the witness, or witnesses, so failing and refusing to appear, or refusing access to any books, records, papers, files or equipment to the circuit court of the county having jurisdiction of the matter, and said court shall thereupon issue a summons for the said party to appear at a place designated within the jurisdiction of the court on a day fixed, and give such evidence and open for inspection such books, records, files and papers as may be required for the purpose of ascertaining whether or not any return so made is true and correct, or whether or not any person, association, co-partnership or

corporation has failed or refused to make a true and correct return under the provisions of this law; and the circuit court shall have in any such proceeding all the power of a court of equity in punishing for contempt. In order that the State Tax Commission may have additional means of checking up the accuracy of the reports made, and determining the amount of tax due by any person, association, co-partnership or corporation, the records, books and other documents of common carriers, relative to the transportation of gasoline, are hereby declared to be accessible to the State Tax Commission.

§ 6. Any person, association, co-partnership or corporation, or any officer, director, trustee or member of any association, co-partnership or corporation, who shall fail, neglect or refuse to make the returns and pay the tax herein prescribed, or shall refuse to permit the State Tax Commission, its assistants, agents or representatives appointed by it in writing, to examine the books, records, papers, files and equipment of such person, association, co-partnership or corporation pertaining to the business made taxable by this act, or who makes any incomplete, false or fraudulent return hereunder, or who does, or attempts to do, anything whatever to avoid a full disclosure of the amount of business done, or to avoid the payment of the whole or any part of the tax or penalties due, shall be guilty of a misdemeanor, and upon conviction, shall be fined not exceeding one thousand dollars (\$1,000.00), and in the case the offender is an individual, he may be imprisoned in the county jail not exceeding six months, or both so fined and imprisoned. Such penalty shall be in addition to the penalty imposed hereinbefore in section 4 of this act.

§ 7. All wholesale dealers in gasoline, as defined in this act, engaged in such business in this State at the time this act shall go into effect, shall, within thirty days thereafter, and all wholesale dealers in gasoline, as defined herein, engaging in the transaction of such business thereafter, shall prior to the commencement of such business, file a duly ac-

knowledgeed certificate with the State Tax Commission on a form prescribed, prepared and furnished by it, which will set forth the name under which such dealer transacts or intends to transact such business within the State of Kentucky, and the place of business of such dealer, and, if such dealer has more than one place of business within the State, the places of each business and address of the principal place of business within the State; if such dealer is a firm, co-partnership or association, the names and addresses of such persons constituting such firm, co-partnership or association; and if a corporation, the names and addresses of the principal officers thereof, and such other information as may be required of it. No wholesale dealer, as herein defined, shall after the date this act becomes effective, sell any gasoline, as herein defined, until such certificate is filed as required by this act, nor shall any dealer engaging in such business subsequent to the passage of this act commence such business without first filing such certificate with the State Tax Commission, and any change in any firm, co-partnership or association shall be reported; and any dealer failing to comply with the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars, (\$100) nor more than one thousand dollars (\$1,000).

§ 8. It shall be the duty of the State Tax Commission to administer and enforce the provisions of this act, and it is hereby authorized and empowered to prescribe all blanks, forms and reports necessary to carry out the provisions of this act. It shall certify each month to the State Auditor the total amount of tax paid or collected from each wholesale dealer during the preceding month under the provisions of this act, and accompanying said certification by the checks received by it for the payment of said tax and penalties, if any. All costs and expenses incurred by the State Tax Commission in the administration of this act shall be paid out of the funds collected hereunder.

§ 9. No suit shall be maintained in any court to restrain or delay the collection or payment of the tax herein imposed upon any ground whatever, but the aggrieved taxpayer shall pay the tax as and when due, and if paid under protest may at any time within two years from the date of such payment sue the Auditor of Public Accounts in any action at law to recover the tax so paid, with legal interest thereon from the date of payment. If it is legally determined that said tax, or any part thereof, was wrongfully collected for any reason, it shall be the duty of the Auditor of Public Accounts then in office to issue his warrant on the Treasurer of the Commonwealth of Kentucky for the amount of such tax so adjudged to have been wrongfully collected, together with interest thereon, and the Treasurer shall pay same out of the public road fund of the State. A separate suit need not be filed for each separate payment made by any taxpayer, and a recovery may be had in one suit for as many illegal payments as may have been made, and which are not barred by the limitation of two years herein imposed.

§ 10. The provisions of this act are severable and if any of its provisions or any penalty provided by this act shall be held unconstitutional, such provision or the particular penalty held to be invalid shall not affect or impair the remainder of the act or such part of the penalties as are not held to be invalid and the decisions of the courts shall not affect or impair the remaining provisions of this act or any of the other penalties anywhere in this act provided. It is hereby declared as a legislative intent that this act would have been adopted had any unconstitutional provisions or such invalid penalties not been included therein.

Mr. Fowler offered the following Amendment to said bill, viz.:

“Amend H. B. 281 by adding after Section 9 the following section to be known as Section 9½: ‘The increase of two

cents per gallon under this act shall automatically expire June 30, 1930, and thereafter the state tax shall be three-cents a gallon.' ”

Said Amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Fowler and Vincent were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	T. W. Hardesty, Jr.	Henry Meiman
Thos. J. Dunn	John B. Klefot	Mac Swinford
Duke W. Fowler	J. Porter Land	P. H. Vincent
F. A. Gnau	Luther Morse	—11

Those who voted in the negative were—

J. Curtis Alcock	J. W. Edwards	Ira L. Horn
A. L. Allen	J. O. Evans	Robt. L. Horn
S. E. Anderson	Virgil Eversole	Josephus Howard
W. O. Bach	Chas. H. Fair	W. F. Hunter
A. J. Baldrige	W. J. Fisher	Lester Jeter
W. O. Baxter	J. C. Flener	T. M. Johnson
T. H. Benton	Chas. B. Fulton	John C. Kemper
W. P. Bowman	J. B. Furlong	S. D. Laughlin
Thos. L. Britton	R. C. Graham	Leon P. Lewis
W. G. Buckner	W. T. Green	Wm. McClave
S. J. Bunker	E. L. Hagan	J. L. McKnight
Sam P. Burnam	A. L. Hall	Wm. McRohan
E. L. Campbell	John G. B. Hall	Clark Macdonald
J. G. Campbell	Herman Handmaker	J. L. Manning
Chas. B. Carver	Brooks L. Hargrove	C. C. May
Harry Cochran	C. W. Hawkins	Harry J. Meyers
John Cooper	Joseph M. Hayse	L. P. Murphy
J. O. Creech	Phillip Helf	James H. Muse
E. J. Doss	J. R. Hobbs	L. C. Nell
W. M. Duncan	J. S. Hollan	Andrew Nichols
D. E. Edwards	S. K. Holland	J. H. Payne

Levi W. Powell	Daniel Boone Smith	J. B. Taylor
J. G. Prather	S. G. Smith	E. G. Thomas
W. H. Pryor	M. E. Sparks	C. F. Thornton
B. A. Robertson	Dan Stamper	J. C. Watkins
C. W. Ryans	Frank L. Strange	L. M. Weathers
Charles Smith	J. G. Swearingen	J. A. White

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Mr. Hardesty offered the following Amendment to said bill, viz.:

“Amend H. B. 281 by adding to Section 4 the following: ‘One-third of the amount collected in each county shall be spent in the county in which collected.’ ”

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. G. Buckner	D. E. Edwards
A. L. Allen	S. J. Bunger	J. W. Edwards
S. E. Anderson	E. L. Campbell	J. O. Evans
W. B. Ardery	J. G. Campbell	Virgil Eversole
W. O. Bach	Chas. B. Carver	Chas. H. Fair
A. J. Baldridge	Harry Cochran	W. J. Fisher
W. O. Baxter	John Cooper	J. C. Flener
T. H. Benton	J. O. Creech	Chas. B. Fulton
W. P. Bowman	E. J. Doss	J. B. Furlong
Thos. L. Britton	W. M. Duncan	W. T. Green

E. L. Hagan	Leon P. Lewis	C. W. Ryans
A. L. Hall	J. L. McKnight	Charles Smith
John G. B. Hall	Wm. McRohan	Daniel Boone Smith
Brooks L. Hargrove	Clark Macdonald	S. G. Smith
C. W. Hawkins	J. L. Manning	M. E. Sparks
Joseph M. Hayse	C. C. May	Dan Stamper
J. R. Hobbs	A. M. Mercer	Frank L. Strange
J. S. Hollan	Harry J. Meyers	J. G. Swearingen
S. K. Holland	E. B. Miller	Mac Swinford
Ira L. Horn	L. P. Murphy	J. B. Taylor
Robt. L. Horn	James H. Muse	E. G. Thomas
Josephus Howard	L. C. Nell	C. F. Thornton
W. F. Hunter	Andrew Nichols	P. H. Vincent
Lester Jeter	J. H. Payne	J. C. Watkins
T. M. Johnson	Levi W. Powell	L. M. Weathers
John C. Kemper	J. G. Prather	J. A. White
John B. Klefot	W. H. Pryor	
S. D. Laughlin	B. A. Robertson	

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Those who voted in the negative were—

Thos. J. Dunn	T. W. Hardesty, Jr.	Henry Meiman
Duke W. Fowler	Phillip Helf	
F. A. Gnau	J. Porter Land	

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Resolved that the title thereof be as aforesaid.

Mr. S. K. Holland moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Hunter moved that the Rules be suspended and that a bill entitled,

H. B. 311. An Act to provide for the sexual sterilization of inmates of State Institutions in certain cases and to provide for procedure to protect the rights of such inmates,

Be made a Special Order of the Day for Tuesday, February 21, at 11 o'clock A. M.

Said motion was agreed to.

Mr. Vincent moved that the Rules be suspended and that a bill entitled:

H. B. 152. An Act providing for the taking of the sense of the people of the State as to the necessity and expediency of calling a convention, etc.,

Be made a Special Order of the Day for Thursday, February 23, at 11 o'clock A. M.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 186. An Act to give relief to the Court of Appeals by giving it authority to appoint four commissioners of said court, prescribing their qualifications, and term of office, their method of selection, their salary and for clerical assistance.

Mr. S. K. Holland moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 168. An Act requiring that all teachers in public schools shall keep daily a record of hours of actual service, filing same with supervising officer to become records of Boards of Education, etc.

With a Committee Amendment thereto.

Mr. Jeter moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 103. An Act to amend and re-enact Section 331e-17 relating to appointment and salary of stenographer for Juvenile Court in counties having a city of the 1st and 2nd class, and fixing compensation for said stenographer.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 331e-17 Kentucky Statutes, Carroll's 1915 Edition, be amended and re-enacted by striking out the words and figures, "not exceeding \$60.00 per month," and inserting in lieu thereof the words, "not exceeding \$125.00 per month," so that said Section when amended and re-enacted shall read as follows:

"In counties having a city of the first or second class the county court may appoint a stenographer who, under the direction of the court, shall take down in shorthand such evidence offered in the proceedings as the court may deem necessary, and said stenographer shall make a transcript of the substance of the evidence taken down and file such transcript with the papers of the proceedings herein. Such stenographer shall perform such other duties as may be assigned to him by the judge of the county court; such stenographer shall receive a salary to be fixed by the judge of the county court, not exceeding \$125.00 per month, to be paid as provided for herein."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	R. C. Graham	C. C. May
S. E. Anderson	W. T. Green	Henry Meiman
W. B. Ardery	E. L. Hagan	A. M. Mercer
W. O. Baxter	John G. B. Hall	Harry J. Meyers
T. H. Benton	Herman Handmaker	E. B. Miller
W. P. Bowman	Brooks L. Hargrove	L. P. Murphy
Thos. L. Britton	C. W. Hawkins	James H. Muse
W. G. Buckner	Joseph M. Hayse	J. G. Prather
S. J. Bunger	Phillip Helf	W. H. Pryor
Sam P. Burnam	J. S. Hollan	B. A. Robertson
E. L. Campbell	Ira L. Horn	C. W. Ryans
J. G. Campbell	Robt. L. Horn	Daniel Boone Smith
Chas. B. Carver	Josephus Howard	S. G. Smith
Harry Cochran	Lester Jeter	M. E. Sparks
John Cooper	John C. Kemper	Frank L. Strange
J. O. Creech	John B. Klefot	Mac Swinford
Thos. J. Dunn	J. Porter Land	J. B. Taylor
D. E. Edwards	S. D. Laughlin	E. G. Thomas
J. W. Edwards	Wm. McClave	C. F. Thornton
Chas. H. Fair	J. L. McKnight	P. H. Vincent
W. J. Fisher	Wm. McRohan	J. C. Watkins
J. C. Flener	Clark Macdonald	J. A. White
Duke W. Fowler	J. L. Manning	
J. B. Furlong	Luther Morse	

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Those who voted in the negative were—

A. L. Allen	E. J. Doss	F. A. Gnau
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Resolved that the title thereof be as aforesaid.

Mr. Creech moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Crossland of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills and resolutions of the following titles, viz.:

S. B. 8. An Act enabling cities of the 1st class to construct, operate and maintain bridges across navigable streams, so as to connect such cities with an adjoining state; providing for a commission in such cities of 1st class to construct, operate, control and maintain such bridges, etc.

S. B. 82. An Act to assist disabled ex-service men and women of the World War in obtaining from the Federal Government the relief authorized by Acts of Congress, etc.

S. B. 89. An Act to appropriate the sum of \$184,145.66 for the use and benefit of the Kentucky State Industrial College for Colored Persons for the training of teachers and industrial leaders.

S. Res. 4. Resolution providing for a temporary assistant and a temporary combined book-keeper stenographer for the office of State Superintendent of Printing, and fixing the per diem of each.

S. Res. 12. Joint Resolution memorializing Congress, etc.

S. Res. 10. Resolution providing for the purchase of copies of the Legislative Digest.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled and thereupon the Speaker, in open session and in the presence of the House affixed his signature thereto.

Ordered that said bills be delivered to the Enrolling Clerk of the Senate.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 126. An Act to promote the welfare of the delinquent, neglected, dependent or defective children of the State; repealing Chapter 107 of the Acts of 1922 and abolishing the Kentucky Child Welfare Commission created thereby; creating in its place a bureau with the duties, functions, rights and powers of the Kentucky Child Welfare Commission to be known as "The Kentucky Children's Bureau," and defining and prescribing its duties and functions; providing for the establishment of a State Mothers' Aid Fund and County Mothers' Aid Funds in each county to be administered under the State or County Children's Bureau respectively; providing for the administering of Mothers' Aid throughout the State; making an appropriation for the benefit of the Kentucky Children's Bureau, and the State Mothers' Aid Fund; and authorizing county levies for the establishment of County Mothers' Aid Funds.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 107 of the Acts of 1922, being an act entitled "An Act to create a commission to be known as the

Kentucky Child Welfare Commission and to prescribe its duties and functions'' is hereby repealed and said Kentucky Child Welfare Commission created by said act is hereby abolished.

§ 2. There is hereby created, for the purpose of taking over all the duties, functions, rights and powers of the Kentucky Child Welfare Commission, a bureau to be known as the Kentucky Children's Bureau composed of nine (9) members, who shall be citizens and voters of the State of Kentucky, of not less than thirty (30) years of age, and shall have been resident citizens of the State at least two (2) years before their appointment, and who shall serve without compensation. This shall be a non-partisan board with not more than five (5) members from any one political party and not less than four members shall be women.

The members of the bureau shall be appointed by the Governor, three for a period of one year; three for a period of two years, and three for a period of three years and thereafter all appointments, except to fill vacancies caused by death, resignation or removal, shall be for a full term of three years, and until their successors are appointed and qualified.

§ 3. The Kentucky Children's Bureau shall be a body corporate and by that name and style may contract and be contracted with, sue and be sued, and do and perform all things necessary to execute the duties required and the powers vested in them by law.

The members may adopt necessary rules and regulations to carry out the provisions of this act, not inconsistent with the laws of the Commonwealth.

Each of said members shall take the oath of office required of other State officers before entering upon the discharge of his or her duties, a record of which shall be entered upon the Executive Journal in the Governor's office.

§ 4. The Kentucky Children's Bureau shall have office room or desk room in the Capitol at Frankfort, and shall hold

a monthly meeting and such special meetings as may be called by the chairman or on written request of a majority of its members.

The Bureau shall elect annually from its membership a President, a Vice-President, a Secretary and a Treasurer, and shall make full record of all its proceedings and transactions, which shall be kept in the place where the State archives are kept, and shall be open at all times for inspection.

The office of Secretary and Treasurer may be held by the same person. The Treasurer of said Bureau shall execute bond to the Commonwealth in such penalty as may be required by the Governor for a proper accounting of all funds that come into his hands.

The Treasurer of the Bureau shall make a monthly statement to the State Auditor showing the amount necessary to meet the expenses of the month and make requisition on the Auditor for warrant to cover same and for such additional amount as may be necessary as an emergency fund for the month following.

Provided, that if there be a fund or deposit in the office of the Treasurer of the Commonwealth as provided for in Section nine (9) hereof, the Treasurer of said Bureau shall designate in a separate warrant drawn by him on the Auditor that the warrant is to be paid out of said separate fund provided for under Section nine (9) hereof, and if drawn on a fund supplied by an appropriation he shall designate on the face of the warrant that it is to be paid out of the fund so provided.

The fiscal year of the Bureau shall be the same as the fiscal year of other State Boards.

§ 5. The Bureau shall have authority to appoint a director of the Bureau, and such assistants as they may deem necessary, to fix the compensation of said director and assistants.

§ 6. The Bureau is hereby authorized to assist in the establishment of county children's bureaus, and shall co-

operate with such boards as may have been established and with all agencies, institutions and associations concerned with the welfare of children.

§ 7. It shall be the duty of the Children's Bureau to continue the survey of child welfare in the Commonwealth of Kentucky heretofore begun by the Children's Code Commission, authorized under joint resolution of the General Assembly of 1920, and continued by the Kentucky Child Welfare Commission, authorized by Act of the General Assembly of 1922, to investigate and study the needs of Kentucky children, and present to the Governor and General Assembly prior to each legislative session a report of their findings and recommendations based thereon; to prepare data upon the subject and to be ready at all times to advise the Governor or any member of the General Assembly concerning the bills relating to children which may be introduced at any session of the General Assembly.

§ 8. It shall further be the duty of the Bureau to discover dependent, neglected, delinquent and defective children and to secure for them the benefit of the law, and to have general supervision and control over the administration of Mothers' Aid.

§ 9. The said Bureau created by Section Two hereof, in its corporate name, shall have power and authority to receive and hold the title to property, both real and personal, by gift, devise, bequest and conveyance, to be used by said Bureau for the purpose of carrying out the provisions of this Act, and all property so received shall be held and used as a trust fund for the purposes for which same was received, and its use shall never be diverted to other purposes. All money and other personal property so received by said Bureau shall be deposited with the Treasurer of the Commonwealth of Kentucky, and said money shall be deposited by the Treasurer in a separate fund for the use and benefit of said Bureau to be expended by them in carrying out the provisions of this Act; and the income from all notes, stocks, bonds or other

securities shall be deposited and credited to said fund by the Treasurer for the benefit of said Bureau as aforesaid.

§ 10. For the purposes of this Act, all children physically handicapped, as well as all delinquent, neglected, dependent or defective children, whether such defect be mental or physical, under the age of eighteen (18) years of age, except those who shall have been found to be crippled or solely and permanently blind or solely and permanently deaf, shall be included unless care for specific defect or conditions has already been provided through an existing agency.

§ 11. Said Bureau shall have the authority to expend out of the funds received under the provisions of Section nine (9) hereof, or funds herein appropriated, such sums as may be necessary for the proper care and treatment of such dependent, neglected, delinquent or defective children as shall be committed to its care.

§ 12. The parent, guardian, or person having in charge any dependent, neglected, delinquent or defective child, or any person interested in such child, may call to the attention of the County Judge of the county in which such child resides, its neglect or delinquency, physical or mental infirmity, and the County Judge shall be empowered to commit such child to the care and custody of said Bureau for treatment or care. But in no event shall the Judge commit any child without the consent of its parents, guardian or person having it in charge. Children committed for care or treatment shall be placed in a hospital or home, as may be proper for their care or their treatment and under such physicians or surgeons or nurses or persons as the said Bureau may deem qualified to render the service needed by the child. No child shall be committed to the custody of said Bureau for treatment or care under the provisions of this Act where its parents, guardian, or person having it in charge if related to said child, is able to pay for the care or treatment of said child. Provided, however, where the parent, guardian, or person having said child in charge can only pay a portion of the cost of said treatment or

care, the said child in their custody may be committed by the County Judge under the provisions of this Act, and such parent, guardian, or person having said child in charge shall pay such sums as such parent, guardian or person is able to pay, and the funds thus received from said source shall be turned over to the Bureau and shall be applied in payment of the treatment and care of said child. The Bureau shall have authority to pay for board, suitable clothing and for other necessities for any child committed to its care and custody, provided that no similar services are rendered by any other existing agency.

The Bureau shall have the right to pay the necessary traveling expenses of children committed or sent to it for care and treatment from the home of such child to such institutions or homes to which it or they may be committed, and to pay the traveling expenses of such child or children from such institution to their homes when discharged from such institutions.

§ 14. The books and accounts of the Bureau shall be open at all times to the examination of the State Inspector and Examiner, and the Bureau shall make a biennial report to the Governor showing the amount of money received and expended and a detailed statement of its activities for said period, and a copy of such report shall be furnished each member of the General Assembly at its first session following the filing of such report with the Governor.

§ 15. The Fiscal Court of any county may appropriate funds to be paid out of the county levy for the payment in whole or in part for the care or treatment of dependent, neglected, delinquent or defective children committed from said county, and said funds so appropriated shall be expended for the care or treatment of such child or children as may be designated in the order of the Fiscal Court, and an itemized statement of the expenditure of such fund by said Bureau appropriated as aforesaid and turned over to it shall be filed with the Judge of the County Court of the county of the resi-

dence of said child or children mentioned in the order making said appropriation.

§ 16. The Fiscal Court or the County Commissioners of any County, with the advice and assistance of the Kentucky Children's Bureau, shall establish for such county a County Children's Bureau. When the Fiscal Court or County Commissioners of any county shall have authorized the establishment of such a bureau, the County Judge and the County Superintendent of Schools shall submit to the Kentucky Children's Bureau a list of nine persons, or if the county be one containing a city of the first or second class, fifteen persons, including representatives of both sexes. From this list the Kentucky Children's Bureau shall recommend three persons, or if the county be one containing a city of the first or second class, five persons, who shall then be appointed by the County Judge and the County Superintendent of Schools. The members thus appointed shall constitute a County Children's Bureau for the county. Both sexes shall be represented in the membership of the Bureau. The original appointives shall serve for one, two and three years respectively, or, if five members are appointed as herein provided, one for one year, two for two years and two for three years. Thereafter all appointive members shall serve for three years or until their lawfully appointed successors have been duly qualified. The members shall serve without compensation but may be reimbursed by the county for all necessary expenses incurred in the discharge of their official duties. The Fiscal Court or County Commissioners of each county are hereby authorized and empowered to provide funds for the establishment and maintenance of the County Bureau.

§ 17. The County Children's Bureau shall have office room or desk room in the Court House at the County seat and shall hold an annual meeting and such special meetings as may be called by the chairman or on written request of a majority of the members. The Bureau shall elect annually from its membership, a chairman and a secretary and shall

make full record of all its proceedings and transactions, which shall be kept in the place where the county archives are kept, and shall be open for inspection at any time by the members of the Fiscal Court or the County Commissioners of the county, and by the Kentucky Children's Bureau, or any accredited representative thereof. The fiscal year of each County Children's Bureau shall be the same as the fiscal year of the Fiscal Court or the County Commissioners of that County.

§ 18. The County Children's Bureau shall have authority to appoint an executive officer whose qualifications for the position shall have been approved by the Kentucky Children's Bureau and who shall be known as the Executive Secretary of the Bureau. The Executive Secretary shall have such salary as may be fixed by the County Children's Bureau and shall serve during its pleasure. The Executive Secretary may appoint such properly trained assistants as may be authorized and approved by the County Children's Bureau, at such salaries as may be designated by it. The County Children's Bureau is authorized to pay out of such sums as may be appropriated to its use by the Fiscal Court or County Commissioners of the county, the salaries of its Executive Secretary and his or her assistants and the necessary traveling expenses of its members, Executive Secretary and other agents and such other expenses as are incidental to the discharge of its lawful duties. The County Children's Bureau of two or more counties, with the approval of the Fiscal Court or County Commissioners of their respective counties, may unite in the employment of an Executive Secretary and such other assistants as may be deemed necessary, and shall agree upon the part of the total expense which each County Children's Bureau shall pay.

§ 19. The duties of the County Children's Bureau shall be:

(a) To discover dependent, neglected, delinquent and defective children and obtain for them the benefits of the law.

(b) To administer the funds appropriated by the Fiscal Court or the County Commissioners and the State for Mothers' Aid and to employ such trained workers as may be necessary.

(c) To serve as attendance officers if appointed by educational board or county superintendent of schools.

(d) To serve as Probation or Parole Officers if appointed by Judge of Juvenile Court or the County Judge.

(e) To make such investigations and perform such other service pertaining to children as may be requested by the Fiscal Court or the County Judge. Provided that in no event shall any member or agent of said County Children's Bureau enter any home, family, school or institution, without the consent and permission of the head of the home or family, or of the person or persons in charge of the school or institution.

(f) To assist the Kentucky Children's Bureau in the administrative performance of its duties with reference to children, and to perform such services as may be requested by the Bureau.

(g) To make an annual report to the Kentucky Children's Bureau and specific recommendation as to the needs of children in their respective counties.

§ 20. The said County Children's Bureaus shall have power subject to the provisions of this act to grant aid to mothers with dependent child or children under fourteen years of age who desire and need such help if such mothers are capable and fit mentally, morally, and physically to bring up their child or children and it is for the welfare of the child or children to remain in the home provided that the mother shall have been a resident for two years in the county of application immediately prior to date of application. The word "Mother" as used in this section shall include any female person standing in loco parentis to any child or children under fourteen years of age. Where the child is in school with a satisfactory record of attendance and scholarship or through physical, mental, or legal disability is unable to be employed,

the bureau may at its option continue such aid until such child has reached the age of sixteen years.

§ 21. The County Children's Bureau shall determine whether the mother or guardian is a proper person to have the custody and care of the child or children and whether the home is a satisfactory place for the training and rearing of the child or children; what are the resources of the family and the ability of its own members, if any, to work or otherwise contribute to its support; the existence of relatives able to assist the family, and of individuals, societies or agencies who may be interested therein; shall take all lawful means to compel all persons bound to support the mother and child or children to support them, and to enforce any other legal rights for their benefit; and shall make such other investigation as may be necessary to determine the eligibility and suitability of the mother to receive such aid.

§ 22. The County Children's Bureau shall make written findings based upon its investigation and may make an order for a monthly allowance sufficient to insure the proper maintenance of the child or children in the home with the mother and, if it deems necessary, may impose such conditions upon the granting of the allowance as will promote the welfare of the child or children.

§ 23. The County Children's Bureau shall review all allowances at regular intervals and in no case shall an allowance be continued for more than six months without such review. Any allowance may be increased or decreased in amount, or discontinued, and the Bureau may alter or amend the conditions upon which the allowance was previously granted upon a showing that the welfare of the child or children or the protection of the public interest demands such change, discontinuance, or amendment after reasonable notice has been given to the mother of the child or children.

§ 24. The County Children's Bureau shall cause every home for which an allowance is made to be visited by its representative as often as may be necessary, and at least once in

three months, to observe the conditions which obtain in the home, the care which the child is receiving, and to offer such friendly counsel and advice as may be helpful to the mother and child.

§ 25. The County Children's Bureau shall keep a full record of each applicant for, or recipient of, assistance under this Act, including the reports of investigations, correspondence and other pertinent information, together with the orders of the bureau in each case. The names of the beneficiaries under this Act or their mothers shall not be published in any newspaper or in any way given publicity.

§ 26. All payments made under the provisions of this Act by the County Children's Bureau of the respective counties shall be made direct to the mother whose child or children are beneficiaries under this Act.

§ 27. For the purpose of carrying out the provisions of this Act there is hereby appropriated out of any unappropriated moneys in the Treasury of the Commonwealth to the Kentucky Children's Bureau for the fiscal year ending June 30, 1929, the sum of Ten Thousand (\$10,000) Dollars and for the fiscal year ending June 30, 1930, the further sum of Ten Thousand (\$10,000) Dollars.

§ 28. There is, in addition, hereby appropriated for the fiscal year ending June 30, 1929, the sum of Thirty-five Thousand (\$35,000) Dollars, and for the fiscal year ending June 30, 1930, the further sum of Thirty-five Thousand (\$35,000) Dollars, to the Kentucky Children's Bureau for aid to mothers, to be known as the State Mothers' Aid Fund. Whenever the General Assembly shall have appropriated such sum or sums as it deems necessary for the purpose of carrying out this act, the Bureau shall apportion the amount in the fund to the counties on a per capita basis. Whenever any county shall appropriate to the County Children's Bureau of said county an amount equal to or greater than its apportionment from the State Mothers' Aid Fund, said county shall become a participant in this fund and thereafter shall receive annually

reimbursement from the State Mothers' Aid Fund to the extent of one-half of the expenditures of the Bureau of said county when same shall have been approved by the State Bureau.

§ 29. If at the end of the first fiscal year or any succeeding fiscal year the funds apportioned to any county shall not have been accepted or used by said county such funds shall revert to the State Mothers' Aid Fund and shall be apportioned to those counties which shall signify before the end of such year their intention to participate and shall provide a sum equal to or greater than the amount which may be available to them under this reapportionment on a per capita basis from the State Mothers' Aid Fund.

§ 30. Nothing herein contained shall be interpreted to prevent any county from appropriating to the County Children's Bureau of said county more than a sum equal to its allotment from the State Mothers' Aid Fund.

§ 31. The Fiscal Court or County Commissioners of each county are hereby authorized and empowered to establish a fund to be known as the County Mothers' Aid Fund to be administered by the County Children's Bureau of said County in accordance with this Act. The same shall be a continuing fund from year to year. Said Fiscal Court or County Commissioners of each County are hereby authorized and empowered to levy annually a tax not to exceed two cents on each One Hundred Dollars of taxable property in such county. In order that this law may become immediately effective each county may appropriate from its general revenue such amount as is necessary to carry out the provisions of this Act until such time as the revenue from a tax levy, as herein provided, becomes available.

§ 32. The provisions of this Act are severable and if any of its provisions shall be held unconstitutional, the decisions of the courts shall not affect or impair any of the remaining provisions of this Act. It is hereby declared a

legislative intent that this Act would have been adopted had such unconstitutional provisions not been included herein.

§ 33. Whereas the need for the immediate care and treatment of such dependent, neglected, delinquent or defective children and aid for dependent mothers and children is so great that an emergency is declared to exist and this Act shall take effect from and after its passage and approval by the Governor.

Said Amendment as offered by the Committee is as follows, viz.:

“Amend H. B. 126 by striking out in Section 27 the figures ‘\$10,000’ and inserting in lieu thereof the figures ‘\$5,000.’ ”

Said Amendment was agreed to.

Mr. D. B. Smith offered the following Amendment, viz.:

“Amend H. B. 126 by striking out on page 9, line 5 the words ‘and the State’ ‘and to’ in line 6 by striking out the words ‘employ such trained workers as may be necessary.’ On page 11 and 12 all of Section 28. On page 12 strike out all of Sections 29 and 30.”

Said Amendment was agreed to.

Ordered that said bill be engrossed, and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Duke W. Fowler	C. C. May
A. L. Allen	Chas. B. Fulton	Henry Meiman
W. B. Ardery	J. B. Furlong	Harry J. Meyers
W. O. Bach	F. A. Gnau	E. B. Miller
A. J. Baldridge	R. C. Graham	L. P. Murphy
W. O. Baxter	W. T. Green	James H. Muse
T. H. Benton	E. L. Hagan	Andrew Nichols
Thos. L. Britton	T. W. Hardesty, Jr.	J. H. Payne
W. G. Buckner	Brooks L. Hargrove	Levi W. Powell
S. J. Bunger	Phillip Helf	W. H. Pryor
Sam P. Burnam	J. R. Hobbs	B. A. Robertson
E. L. Campbell	S. K. Holland	C. W. Ryans
J. G. Campbell	Robt. L. Horn	Charles Smith
Chas. B. Carver	W. F. Hunter	Daniel Boone Smith
Harry Cochran	Lester Jeter	S. G. Smith
John Cooper	T. M. Johnson	M. E. Sparks
J. O. Creech	John C. Kemper	Frank L. Strange
E. J. Doss	John B. Klefot	Mac Swinford
W. M. Duncan	J. Porter Land	J. B. Taylor
Thos. J. Dunn	S. D. Laughlin	E. G. Thomas
D. E. Edwards	Leon P. Lewis	J. C. Watkins
J. O. Evans	Wm. McClave	L. M. Weathers
Chas. H. Fair	J. L. McKnight	J. A. White
W. J. Fisher	Clark Macdonald	
J. C. Flener	Luther Morse	

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Mr. D. B. Smith offered the following Amendment to the title of said bill, viz.:

“Amend the title to H. B. 126 by striking from line 9 the words ‘State Mothers’ Aid Fund,’ and from line 10 the words ‘Funds’ and inserting in lieu thereof the word ‘Fund’ and also ‘State or,’ from line 11 the words ‘respectively,’ from line 13 the words ‘The State Mothers’ Aid Fund.’ ”

Said Amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. D. B. Smith moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Dunn moved that the Rules be suspended and that a bill entitled:

H. B. 40. An Act to amend and re-enact Section 201e-23 of the Sixth Edition of Kentucky Statutes, 1922, etc.,

Be taken up for immediate consideration.

Said motion was disagreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 11. An Act to define type to be used in recordable instrument.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That no instrument of writing shall be subject to record in this state, the printed portion of which is printed in type smaller than eight point in size.

Mr. Lewis moved that said bill be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Alcock and Gnau, were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	Chas. B. Fulton	C. C. May
W. B. Ardery	J. B. Furlong	Henry Meiman
W. O. Bach	F. A. Gnau	A. M. Mercer
A. J. Baldridge	E. L. Hagan	James H. Muse
Thos. L. Britton	John G. B. Hall	Levi W. Powell
S. J. Bunger	T. W. Hardesty, Jr.	J. G. Prather
Sam P. Burnam	Herman Handmaker	Daniel Boone Smith
J. G. Campbell	Phillip Helf	M. E. Sparks
J. O. Creech	J. R. Hobbs	Dan Stamper
D. E. Edwards	Ira L. Horn	Frank L. Strange
J. O. Evans	Robt. L. Horn	J. B. Taylor
W. J. Fisher	W. F. Hunter	E. G. Thomas
J. C. Flener	John C. Kemper	L. M. Weathers
Duke W. Fowler	Leon P. Lewis	—41

Those who voted in the negative were—

J. Curtis Alcock	R. C. Graham	Harry J. Meyers
W. O. Baxter	W. T. Green	E. B. Miller
W. G. Buckner	Brooks L. Hargrove	Andrew Nichols
E. L. Campbell	Joseph M. Hayse	W. H. Pryor
John Cooper	Josephus Howard	Charles Smith
E. J. Doss	Lester Jeter	S. G. Smith
W. M. Duncan	T. M. Johnson	Mac Swinford
J. W. Edwards	J. Porter Land	C. F. Thornton
Chas. H. Fair	Clark Macdonald	J. C. Watkins
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The hour of one o'clock P. M. having arrived, the House stood adjourned.

THURSDAY, FEBRUARY 16, 1928.

The House was opened with prayer by the Reverend V. P. Merrill of the Presbyterian Church, South, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	F. A. Gnau	Henry Meiman
A. L. Allen	R. C. Graham	A. M. Mercer
S. E. Anderson	W. T. Green	Harry J. Meyers
W. B. Ardery	John G. B. Hall	E. B. Miller
W. O. Bach	T. W. Hardesty, Jr.	L. P. Murphy
A. J. Baldridge	Herman Handmaker	James H. Muse
W. O. Baxter	Brooks L. Hargrove	L. C. Nell
T. H. Benton	C. W. Hawkins	Andrew Nichols
W. P. Bowman	Joseph M. Hayse	J. H. Payne
Thos. L. Britton	Phillip Helf	Levi W. Powell
W. G. Buckner	J. R. Hobbs	J. G. Prather
S. J. Bunger	J. S. Hollan	W. H. Pryor
Sam P. Burnam	H. B. Holland	B. A. Robertson
J. G. Campbell	S. K. Holland	C. W. Ryans
Chas. B. Carver	Robt. L. Horn	Charles Smith
Harry Cochran	Josephus Howard	Daniel Boone Smith
John Cooper	W. F. Hunter	S. G. Smith
J. O. Creech	Lester Jeter	M. E. Sparks
C. B. Crossland	T. M. Johnson	Dan Stamper
E. J. Doss	John C. Kemper	Frank L. Strange
W. M. Duncan	John B. Klefot	J. G. Swearingen
Thos. J. Dunn	J. Porter Land	Mac Swinford
D. E. Edwards	S. D. Laughlin	J. B. Taylor
J. W. Edwards	Leon P. Lewis	E. G. Thomas
J. O. Evans	Wm. McClave	C. F. Thornton
Virgil Eversole	J. L. McKnight	P. H. Vincent
W. J. Fisher	Wm. McRohan	J. C. Watkins
J. C. Flener	Clark Macdonald	L. M. Weathers
Duke W. Fowler	J. L. Manning	J. A. White
Chas. B. Fulton	Luther Morse	
J. B. Furlong	C. C. May	

Mr. Meyers moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

The hour of one o'clock having arrived, that being the hour for the Special Order of the Day, the House took up for consideration a bill entitled:

S. B. 120. An Act to repeal and re-enact Sections 112-3 and 112-4 of the 1926 Supplement to Carroll's Kentucky Statutes, 1922 Edition, being Chapter 23 of the Acts of the General Assembly of 1924, relating to the office of Attorney General, providing for six assistant attorneys general, fixing the qualifications and salaries of said assistants, and providing for their expenses when called on business from the Capitol; and further providing for clerical and stenographic employees and their compensation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 112-3 and 112-4 of the 1926 Supplement to Carroll's Kentucky Statutes, 1922 edition, being Chapter 23 of the Acts of the General Assembly of 1924, relating to the office of attorney general, his assistants and clerical and stenographic employees, be and the same is hereby repealed and re-enacted so that said sections when thus repealed and re-enacted shall read as follows:

Section 112-3.—Assistants and Employees—Appointment, Qualifications, Removal, Duties and Compensation of. The attorney general shall have power to appoint for his department the assistants and employees hereinafter enumerated, who shall serve for the term for which he is elected, unless sooner removed by him. They shall perform such duties, not

otherwise provided by law, as may be assigned them by the attorney general, as legal advisers for the several officers, departments and institutions of the Commonwealth, or in furtherance of the discharge of his duties.

There shall be a first assistant attorney general, who, in case of the absence or sickness of the attorney general, shall perform the duties of the latter, and said first assistant attorney general, shall be more than thirty years of age and shall have been a regular practicing attorney for eight years, and his salary shall be four thousand dollars per annum, payable monthly out of the State Treasury.

There shall be a second assistant attorney general, who shall have the same qualifications as the first assistant attorney general and receive the same salary, payable in the same way.

There shall be a third assistant attorney general, who shall be over thirty years of age, and shall have been a regular practicing attorney for six years, who shall be paid a salary of four thousand dollars per annum, payable monthly out of the State Treasury.

There shall be a fourth assistant attorney general who shall be over twenty-eight years of age, and shall have been a regular practicing attorney for five years, who shall be paid a salary of thirty-five hundred dollars per annum, payable monthly out of the State Treasury.

There shall be a fifth assistant attorney general, who shall be over twenty-seven years of age, and shall have been a regular practicing attorney for five years, who shall be paid a salary of three thousand dollars per annum, payable monthly out of the State Treasury.

There shall be a sixth assistant attorney general, who shall be over twenty-six years of age, and shall have been a regular practicing attorney for four years, who shall be paid a salary of twenty-four hundred dollars per annum, payable monthly out of the State Treasury.

Said first, second, third, fourth, fifth and sixth assistant

attorney general shall, before entering upon their respective duties give a bond to the Commonwealth of Kentucky, to be approved by the attorney general, conditioned upon the faithful discharge of their respective duties, and said bonds shall be filed with and kept by the Secretary of State.

The attorney general is hereby authorized to employ such stenographic and other clerical help for the use and benefit of his department as in his judgment may be necessary for the proper conduct of his office, provided that the salaries of said stenographic and clerical help shall not exceed ten thousand five hundred dollars per annum. The attorney general is hereby authorized to employ such help, and he shall certify to the Auditor at the end of each month the amount due to such employes, and the Auditor of Public Accounts shall draw a warrant upon the Treasury in favor of such employes for amount so certified.

Section 112-4. Expenses of Attorney General and Assistants Paid When on Business from the Capitol—Attorney General and Governor to Approve. The Attorney General and the first, second, third, fourth, fifth and sixth assistant attorneys general shall be paid their actual and necessary expenses when called away from the State Capitol on business of the Commonwealth; but before a warrant shall be issued by the Auditor of Public Accounts therefor, there shall be filed in his office an itemized statement, signed and verified by said assistants, and approved by the Attorney General, when it is an account of either assistants, and when it is an account of the Attorney General it shall be verified by him and approved by the Governor, showing the amount of expenses said Attorney General or assistants are entitled to receive.

The necessity for additional help and assistants in the conduct of the attorney general's department is immediate and urgent, for the reason that much important litigation is now pending in the various state and federal courts, and therefore an emergency is hereby declared to exist and this act shall take effect immediately after its passage.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Chas. B. Fulton	Wm. McRohan
A. L. Allen	J. B. Furlong	Clark Macdonald
S. E. Anderson	F. A. Gnau	J. L. Manning
W. R. Ardery	R. C. Graham	Luther Morse
W. O. Bach	W. T. Green	C. C. May
A. J. Baldrige	E. L. Hagan	Henry Meiman
W. O. Baxter	T. W. Hardesty, Jr.	A. M. Mercer
W. P. Bowman	Herman Handmaker	Harry J. Meyers
W. G. Buckner	Brooks L. Hargrove	E. B. Miller
S. J. Bunger	C. W. Hawkins	L. P. Murphy
Sam P. Burnam	Phillip Helf	James H. Muse
E. L. Campbell	J. R. Hobbs	L. C. Nell
J. G. Campbell	J. S. Hollan	J. H. Payne
Chas. B. Carver	H. B. Holland	Levi W. Powell
Harry Cochran	S. K. Holland	J. G. Prather
John Cooper	Ira L. Horn	W. H. Pryor
J. O. Creech	Robt. L. Horn	B. A. Robertson
C. B. Crossland	Josephus Howard	C. W. Ryans
J. R. Dorman	W. F. Hunter	Charles Smith
E. J. Doss	Lester Jeter	Daniel Boone Smith
W. M. Duncan	T. M. Johnson	S. G. Smith
Thos. J. Dunn	John C. Kemper	M. E. Sparks
J. W. Edwards	John B. Klefot	Dan Stamper
Virgil Eversole	J. Porter Land	Frank L. Strange
Chas. H. Fair	S. D. Laughlin	J. G. Swearingen
W. J. Fisher	Leon P. Lewis	Mac Swinford
J. C. Flener	Wm. McClave	E. G. Thomas
Duke W. Fowler	J. L. McKnight	C. F. Thornton

P. H. Vincent

J. C. Watkins

L. M. Weathers

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Resolved that the title thereof be as aforesaid.

Mr. Ardery moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Jeter moved that the Hon. Joseph Robinson, Chairman of the State Board of Charitable and Penal Institutions, and Dr. Larue, Superintendent of the Eastern State Hospital, be invited to appear before the House in the Committee of the Whole House on Tuesday, February 21, to discuss the merits of a bill known as the Sterilization Bill and to answer such questions as may be propounded by the members of this House.

Said motion was agreed to.

Mr. Howard moved that the Rules be suspended and that a bill entitled:

H. B. 463. An Act to repeal and re-enact Section 2047 Kentucky Statutes, which was originally Section 1 of Chapter 185 of the Acts of 1893, etc.,

Be re-committed to the Committee on Public Health with leave to report at any time.

Said motion was agreed to.

Upon a call of the counties and Legislative Districts, the following bills were introduced, ordered printed and referred, as follows, viz.: .

By Mr. Dunn:

H. B. 597. An Act to repeal and re-enact Subsection 3 of Section 3704 of Carroll's Kentucky Statutes, 1922 Edition, relating to the power of the Boards of Trustees of Sixth Class Cities.

To Committee on Kentucky Statutes.

By same:

H. B. 598. An Act to amend an Act entitled "An Act creating a State Text Book Commission to adopt for use in the Public Schools of Kentucky a uniform series of text books, defining the powers, qualifications and duties of said commission, and its members, regulating the prices, method of selection, sale and distribution of such text books, prescribing conditions to be complied with, and penalties for the violation of the various provisions of this Act, and expressly repealing Chapter 13 of the Act of the General Assembly of Kentucky of 1910, approved March 15, 1910, as amended by Chapter 11 of the Acts of 1914, approved March 10, 1914, as amended by Chapter 10 of the Acts of 1918, etc.

To Committee on Kentucky Statutes.

By Mr. Hunter:

H. B. 599. An Act to require the teaching of the art of public speaking, discussion and debating in the common schools of the State of Kentucky, and providing a penalty for the violation of this Act by any superintendent, principal or teacher in the common schools.

To Committee on Education No. 2.

By Mr. Vincent:

H. B. 600. An Act relating to motor vehicles; providing

for the repeal and re-enactment of Section 2 (a) of Chapter 109 of the Acts of the General Assembly 1926, being Section 2739g-2 of Carroll's 1922 Kentucky Statutes, providing for the registration of motor vehicles.

To Committee on Motor Transportation.

By Mr. Dorman:

H. B. 601. An Act relating to the Primary System of roads and highways, and adding to the State Primary System a road from Mt. Freedom in Jessamine County via Martins Ferry on Kentucky River to Buena Vista in Garrard County.

To Committee on Roads and Highways No. 3.

By Mr. Furlong:

H. B. 602. An Act to establish a new State Primary road project to be known as Project No. —, beginning at Maysville in Mason County, and extending southwardly by way of Orangeburg and Mt. Gilead in Mason County, to Flemingsburg in Fleming County, Kentucky.

To Committee on Roads and Highways No. 3.

By Mr. Kemper:

H. B. 603. An Act establishing a road from Salem, in Livingston County to Tolu in Crittenden County by way of Irma, in Crittenden County, as a part of the Primary System of State Highways to be known as Project No. —.

To Committee on Roads and Highways No. 3.

By Mr. J. A. White:

H. B. 604. An Act setting out qualifications and manner

of selection of school trustees and members of boards of education and of employees of these boards, and regulating their service; and providing for effective enforcement of the provisions of this act.

To Committee on Education No. 1.

By Mr. Hagan:

H. B. 605. An Act relating to roads and highways and establishing and creating a Road Project No. — extending from Sonora in Hardin County to a point in Hardin County on the Elizabethtown and Leitchfield Road.

To Committee on Roads and Highways No. 3.

By same:

H. B. 606. An Act fixing the qualifications of the Insurance Commissioner of Kentucky.

To Committee on Kentucky Statutes.

By Mr. Klefot:

H. B. 607. An Act regulating the seating of passengers in cars, coaches and motor vehicles operated by Street Railway and Motor Transportation Companies; requiring signs in all of such cars, coaches and motor vehicles and empowering persons in charge thereof to enforce the provisions of this act and providing penalties which fix the punishment for a violation of this act.

To Committee on Public Utilities.

By Mr. Hobbs:

H. B. 608. An Act relating to Natural Bridge State Park

in Powell County, providing for fencing said park, constructing a fish pond or lake and making other improvements thereon and appropriating Seven Thousand Five Hundred Dollars (\$7,500) for said improvements.

To Committee on State Parks.

By Mr. Eversole:

H. B. 609. An Act to repeal, amend and re-enact Section 373 of Kentucky Statutes, relating to bonds of Circuit and County Court Clerks.

To Committee on City and County Courts.

By Mr. Jeter:

H. B. 610. An Act to promote safety of employes and travelers on railroads by requiring railroads and common carriers to establish and maintain safe and sufficient clearance between cars passing over their tracks, and material of all kinds of structures, buildings, walls, embankments, tunnels, bridges, posts, platforms or obstructions of any nature or character alongside or over said tracks.

To Committee on Railroads.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Payne of the Committee on Roads and Highways
No. 1:

H. B. 368. An Act repealing Section 4356 of Carroll's Kentucky Statutes, 1922 Edition, being Chapter 86 of the Acts of the General Assembly of 1914, entitled "An Act declaring certain public roads a system of public state highways and public works of the State of Kentucky," etc.

Without an expression of opinion.

By Mr. Prather of the Committee on Education No. 1:

H. B. 490. An Act to establish and to provide for the organization and maintenance of a State teachers' retirement system and appropriating money therefor.

H. B. 496. An Act prescribing procedure whereby adjacent school districts in any county may be combined; also designating procedure and means whereby county, city and graded common school district boards of education may transfer students of any grade from one school district to a public school in another district without changing district boundaries.

H. B. 489. An Act to repeal and re-enact Section 3, Chapter 52, Acts of 1924, relating to the powers of the County Board of Education:

H. B. 476. An Act designating the place of residence of the inmates of orphans' homes maintained and operated in this Commonwealth by corporations created under the provisions of Section 879 of the 1922 Edition of Carroll's Kentucky Statutes, for the purpose of admitting them into publicly maintained schools, and providing for their enumeration by the census taker of pupils eligible to attend public school, etc.

With the expression of opinion that said bills ought to pass with the exception of the one above named.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Prather, of the Committee on Education No. 1, to which the same had been previously referred, reported a bill entitled:

H. B. 446. An Act to repeal, revise and re-enact Section 4434a-14 Kentucky Statutes, John D. Carroll Edition, being Act of March 16, 1916, relating to salaries of teachers in rural public schools,

With the expression of opinion that said bill ought not to pass.

No motion having been made to advance said bill to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken by the House on said bill, it was ordered that said bill be rejected.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 504. An Act appropriating One Thousand Dollars for the purchase, erection and maintenance of a bell to be known as the "Kentucky Chime" in the Washington Chapel at Valley Forge, Pennsylvania.

H. B. 123. An Act for the benefit of the Home for Incurables.

H. B. 121. An Act to amend Chapter 138 of the Session Acts of 1922, entitled "An Act for the benefit of the Red Cross Association (Colored) of Louisville" by increasing the appropriation therein from Five to Ten Thousand Dollars per annum and increasing the bond required thereunder from Ten to Twenty Thousand Dollars.

H. B. 455. An Act to amend Section 22 and Section 24 of an Act entitled "An Act to amend school laws and to create

Boards of Education and to define their duties in cities of the First Class," being Section 2978a-22 and Section 2978a-24, respectively, of Carroll's Kentucky Statutes, Edition of 1922.

H. B. 453. An Act to provide for the transportation of crippled children and certain other pupils to and from the public schools in cities of the 1st class.

S. B. 97. An Act to repeal and re-enact Section 75 of Carroll's Criminal Code of Practice, Seventh Edition 1927 (the same being Chapter 44 of the 1924 Acts of the General Assembly of Kentucky).

H. B. 519. An Act amending Subsection 1 of Section 492 of the Kentucky Civil Code of Practice to authorize sales of property held for twenty years after the execution of the deed or the probation of the will which forbids a sale, where such changes shall have occurred in the value or the condition of the property as to make a sale and re-investment of the proceeds materially beneficial to the owners and for the appointment of a trustee to conserve and re-invest such proceeds of sale under the direction of the court.

With a Committee Amendment thereto.

H. B. 539. An Act to amend Section 138, Carroll's Edition of Kentucky Statutes, being Section 2 of Chapter 154, Session Acts 1893, by striking out two thousand dollars in said section and inserting in lieu thereof two hundred thousand dollars, and by striking out two thousand dollars per annum, and inserting in lieu thereof, "to be fixed by the auditor," and striking from said section, "and the further sum of thirteen thousand seven hundred dollars is hereby allowed to the auditor annually to enable him to employ and pay such clerks as he may deem necessary for the proper discharge of the business of his office."

H. B. 558. An Act authorizing and empowering counties having a city of the second class to purchase, construct and reconstruct bridges over or tunnels under any boundary line stream of this Commonwealth (including the Ohio River) and to negotiate, purchase or obtain suitable and necessary approaches thereto from or in an adjoining state or any subdivision thereof, etc.

H. B. 76. An Act to repeal and re-enact Section 2380, Subsection 7, Kentucky Statutes, Carroll's Edition 1922, relating to the appointment and qualification and compensation of drainage commissioners and the salaries of their secretaries.

With Committee Amendment thereto.

S. B. 52. An Act to amend the law relating to public ditches and drains and the maintenance of such ditches, amending Section 2380, Subsection 39, Kentucky Statutes.

S. B. 69. An Act to give relief to the Court of Appeals by giving it authority to appoint four commissioners of said court, prescribing their qualifications, and term of office, their method of selection, their salary and for clerical assistance.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 315. An Act to amend and re-enact Section 331e-5, Kentucky Statutes, Edition 1922, relating to the trial of

juvenile offenders and allowing an appeal from the judgment of the Juvenile Court in such cases.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 331e-5 Kentucky Statutes be and the same is hereby amended and re-enacted so that when re-enacted it will read as follows:

When any child within the provisions of this act is arrested with or without a warrant it shall, instead of being taken before a justice of the peace or police magistrate, be taken directly before the County Court, or if it shall be taken before a justice of the peace or police magistrate upon warrant sworn out in such court, or for any other reason, it shall be the duty of such justice of the peace or police magistrate to transfer the case to such County Court, and it shall be the duty of the officer having the child in charge to take the child before said County Court; and in any case the court may proceed to hear and dispose of such case in the same manner as if the child had been brought before the court upon petition as herein provided. In any case the court shall require notice to be given and investigation to be made as in other cases under this act, and may adjourn the hearing from time to time for that purpose. The court may in its discretion in any case of a delinquent child brought before it as herein provided, permit such child to be proceeded against in accordance with the laws that may be in force in this state governing the commission of crimes, and in such case the petition, if any, filed under this act shall be dismissed and the child shall be transferred to the court having jurisdiction of the offense. When the County Court enters any order or judgment relating to the punishment, care, custody or disposition of any neglected, dependent or delinquent child brought before such court under the provisions of this section or any other act, such child or

the parent, guardian or person having custody of such child shall have the right of appeal from the order or judgment so entered to the Circuit Court of the county and when such an appeal is prosecuted such child, parent, guardian or the person having such child in custody shall be required to give bond or other security for the appearance of such child in the Circuit Court for trial. The amount of the bond shall be fixed by the County Court. In the Circuit Court the case shall be tried de novo under the same rules and regulations prescribed for the trial of such child in the County Court. An appeal may be taken from any order or judgment of the Circuit Court to the Court of Appeals, but no such appeal shall be taken until such child or the parent, guardian or person having such child in custody shall have executed bond as required by the Circuit Court conditioned that such child shall be of good demeanor during the pendency of such an appeal and will not be guilty of any offense against the laws governing neglected, dependent and delinquent children.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	W. P. Bowman	John Cooper
A. L. Allen	Thos. L. Britton	C. B. Crossland
S. E. Anderson	W. G. Buckner	E. J. Doss
W. B. Ardery	S. J. Bunger	W. M. Duncan
W. O. Bach	E. L. Campbell	Thos. J. Dunn
A. J. Baldridge	J. G. Campbell	D. E. Edwards
W. O. Baxter	Chas. B. Carver	J. W. Edwards
T. H. Benton	Harry Cochran	Chas. H. Fair

W. J. Fisher	Josephus Howard	Levi W. Powell
J. C. Flener	Lester Jeter	J. G. Prather
Duke W. Fowler	T. M. Johnson	W. H. Pryor
Chas. B. Fulton	John C. Kemper	B. A. Robertson
J. B. Furlong	John B. Klefot	Charles Smith
F. A. Gnau	J. Porter Land	S. G. Smith
R. C. Graham	S. D. Laughlin	M. E. Sparks
E. L. Hagan	Leon P. Lewis	Dan Stamper
A. L. Hall	Wm. McClave	Frank L. Strange
John G. B. Hall	J. L. McKnight	J. G. Swearingen
T. W. Hardesty, Jr.	Wm. McRohan	Mac Swinford
Herman Handmaker	Clark Macdonald	J. B. Taylor
Brooks L. Hargrove	J. L. Manning	E. G. Thomas
C. W. Hawkins	Luther Morse	C. F. Thornton
Phillip Helf	C. C. May	P. H. Vincent
J. R. Hobbs	Henry Meiman	J. C. Watkins
H. B. Holland	A. M. Mercer	L. M. Weathers
S. K. Holland	Harry J. Meyers	J. A. White
Ira L. Horn	E. B. Miller	
Robt. L. Horn	J. H. Payne	

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Resolved that the title thereof be as aforesaid.

Mr. Robertson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 347. An Act to authorize the regular Judge of a Quarterly Court to sign unsigned judgments rendered by another Judge of said court.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That if any judgment rendered in the Quarterly Court shall remain unsigned, and the judge who rendered it cannot for any reason sign it, the regular judge of the Quarterly Court of said county at any time thereafter may sign said judgment with the same force and effect as if the same had been signed by the judge who rendered the judgment.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	Chas. H. Fair	T. M. Johnson
S. E. Anderson	W. J. Fisher	John C. Kemper
A. J. Baldrige	Duke W. Fowler	John B. Klefot
W. O. Baxter	Chas. B. Fulton	J. Porter Land
T. H. Benton	J. B. Furlong	Leon P. Lewis
W. P. Bowman	F. A. Gnau	Wm. McClave
Thos. L. Britton	R. C. Graham	J. L. McKnight
W. G. Buckner	E. L. Hagan	Wm. McRohan
S. J. Bunger	John G. B. Hall	Clark Macdonald
Sam P. Burnam	Herman Handmaker	J. L. Manning
E. L. Campbell	Brooks L. Hargrove	Luther Morse
J. G. Campbell	C. W. Haykins	C. C. May
Harry Cochran	J. R. Hobbs	A. M. Mercer
John Cooper	J. S. Hollan	Harry J. Meyers
C. B. Crossland	H. B. Holland	E. B. Miller
J. R. Dorman	S. K. Holland	L. C. Nell
E. J. Doss	Ira L. Horn	J. H. Payne
W. M. Duncan	Robt. L. Horn	J. G. Prather
D. E. Edwards	Josephus Howard	W. H. Pryor
J. W. Edwards	Lester Jeter	B. A. Robertson

Charles Smith	J. G. Swearingen	C. F. Thornton
Daniel Boone Smith	Mac Swinford	P. H. Vincent
Dan Stamper	J. B. Taylor	J. C. Watkins
Frank L. Strange	E. G. Thomas	J. A. White

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Resolved that the title thereof be as aforesaid.

Mr. J. G. B. Hall moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 323. An Act to amend and re-enact Section 2 of Chapter 52 of the Acts of the General Assembly of 1926, and fix the maximum per diem and expenses that any county board member may draw in any one year at one hundred dollars.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2 of Chapter 52 of the Acts of the General Assembly of 1924 be hereby amended and re-enacted and when so amended and re-enacted shall read as follows:

“The county board of education elected in November, 1925, shall hold its first meeting on the first Monday in January, 1926, and at such meeting shall organize by electing one of its members to serve as chairman and one as vice chairman, after which the members shall by lot determine the length of term of each member, two of whom shall serve for two years and three for four years. The regular terms of members elected thereafter shall be four years, and there

shall, in alternate years after 1925, be elections of county board members in all school election divisions the term of whose members is closing. On the first Monday of January next following later elections of members of the county board of education in any county, the members so elected and the hold-over members whose terms are not closing shall meet and organize by electing one of its members to serve as chairman and one as vice chairman for the ensuing two years. Other regular meetings shall be held at least once in each school term and such special meetings may be held as the county superintendent or the chairman, or a majority of the board may call. The board, by order entered on its record book, shall designate its regular meeting days, but in all special meetings called by the county superintendent or by the chairman or by a majority of the board, written notice of the same must be mailed to members of said board at least three days prior to date of such special meetings. Members of the county board of education shall receive no salary, but each member shall receive a per diem of five dollars (\$5.00) and in addition thereto shall be allowed out of the county school fund his actual and necessary expenses in attending said board meetings, provided that not more than one hundred dollars (\$100.00) shall be spent as per diem and expenses of each member in any one year."

"The county superintendent of schools shall be the executive officer and secretary of the county board of education. He shall attend all meetings of the county board and each meeting of its committees, except when his own tenure, salary or the administration of his office is under consideration, and he shall have the right to advise on any question under consideration, but he shall not have the right to vote." All laws and parts of laws in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	R. C. Graham	J. L. Manning
A. L. Allen	E. L. Hagan	C. C. May
S. E. Anderson	A. L. Hall	A. M. Mercer
A. J. Baldrige	John G. B. Hall	Harry J. Meyers
W. O. Baxter	Herman Handmaker	E. B. Miller
W. P. Bowman	Brooks L. Hargrove	L. P. Murphy
Thos. L. Britton	C. W. Hawkins	L. C. Nell
W. G. Buckner	Phillip Helf	J. H. Payne
S. J. Bunger	J. R. Hobbs	Levi W. Fowell
Sam P. Burnam	J. S. Hollan	J. G. Prather
E. L. Campbell	H. B. Holland	W. H. Pryor
J. G. Campbell	S. K. Holland	B. A. Robertson
Chas. B. Carver	Ira L. Horn	Charles Smith
John Cooper	Robt. L. Horn	Daniel Boone Smith
J. O. Creech	W. F. Hunter	M. E. Sparks
C. B. Crossland	Lester Jeter	Dan Stamper
E. J. Doss	T. M. Johnson	Frank L. Strange
W. M. Duncan	John B. Klefot	J. G. Swearingen
Thos. J. Dunn	J. Porter Land	Mac Swinford
W. J. Fisher	S. D. Laughlin	J. B. Taylor
J. C. Flener	Leon P. Lewis	E. G. Thomas
Duke W. Fowler	Wm. McClave	C. F. Thornton
Chas. B. Fulton	J. L. McKnight	P. H. Vincent
J. B. Furlong	Wm. McRohan	J. C. Watkins
F. A. Gnau	Clark Macdonald	J. A. White

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There voted in the negative—

John C. Kemper

—1

Resolved that the title thereof be as aforesaid.

Mr. May moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 270. An Act to amend an Act entitled, Police Court; Election; Qualification; Salary, which is Section 3146 Carroll's Statutes, 1922.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3146 of Carroll's Kentucky Statutes 1922, be and the same is hereby amended and re-enacted as follows, to-wit:

By inserting the words "and who is not a regular practicing lawyer in the County in which he resides" immediately after the word "years" in the fourth line from the last in said Section, so that when said Section is so amended it will read as follows:

There shall be established in and for each city of the second class a court to be called the police court, to be presided over by one judge, to be elected as hereinafter provided, who shall receive for his services such salary as the general council shall fix by ordinance; and said judge shall not receive any other compensation from any source. No person shall be eligible to the office of police judge who, at the time of election, is not twenty-five years of age, a resident of the city for four years, and who is not a regular practicing lawyer in the county in which he resides. This shall not apply to present incumbents nor police judges elected in November, one thousand eight hundred and ninety-three.

Mr. Crossland offered the following Amendment thereto by way of Substitute therefor, viz.:

An Act to amend an Act entitled, Police Court; Judge; Election; Qualification; Salary, which is Section 3146 Carroll's Statutes, 1922.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3146 of Carroll's Kentucky Statutes 1922, be and the same is hereby amended and re-enacted so as to read when re-enacted as follows:

By inserting the words, "and who has not been a regular practicing lawyer and an attorney in the city in which he resides for at least two years" immediately after the word "years" in the third line from the last in said section; that is, immediately after the word "years" as it last appears in said section, so that when said section is so amended it shall read as follows:

"There shall be established in and for each city of the second class a court, to be called the Police Court, to be presided over by one judge, to be elected as hereinafter provided, who shall receive for his services such salary as the General Council shall fix by ordinance, provided, however, that such salary shall not exceed \$4,800, nor for less than \$3,000 per annum; and such judge shall not receive any other compensation except the fees allowed by law to judges for holding examining trials in felony cases. No person shall be eligible to the office of Police Judge who, at the time of election, is not twenty-five years of age and who has not been a resident of the city for four years and who has not been a regular practicing lawyer and an attorney in the city in which he resided for at least two years. This shall not apply to present incumbents."

Said Substitute was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	J. B. Furlong	Clark Macdonald
A. L. Allen	F. A. Gnau	A. M. Mercer
S. E. Anderson	E. L. Hagan	Harry J. Meyers
W. B. Ardery	John G. B. Hall	E. B. Miller
W. O. Bach	Herman Handmaker	James H. Muse
W. O. Baxter	Brooks L. Hargrove	J. H. Payne
W. P. Bowman	C. W. Hawkins	J. G. Prather
S. J. Bunger	Phillip Helf	W. H. Pryor
Sam P. Burnam	J. S. Hollan	B. A. Robertson
J. G. Campbell	H. B. Holland	Charles Smith
Chas. B. Carver	Ira L. Horn	Daniel Boone Smith
Harry Cochran	Robt. L. Horn	S. G. Smith
J. O. Creech	Josephus Howard	M. E. Sparks
C. B. Crossland	T. M. Johnson	Dan Stamper
J. R. Dorman	John B. Klefot	Frank L. Strange
E. J. Doss	J. Porter Land	J. G. Swearingen
W. M. Duncan	S. D. Laughlin	Mac Swinford
W. J. Fisher	Wm. McClave	J. B. Taylor
J. C. Flener	J. L. McKnight	E. G. Thomas
Duke W. Fowler	Wm. McRohan	P. H. Vincent

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Those who voted in the negative were—

A. J. Baldrige J. R. Hobbs

—2

Resolved that the title thereof be as aforesaid.

Mr. Crossland moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Strange moved that the Rules be suspended and that the House take up for immediate consideration, a bill entitled:

H. B. 280. An Act authorizing cities of the third class, not having commission form of government, owning its system of water works, to provide by ordinance for the management and operation thereof by Board of Water Works.

With a Committee Amendment thereto by way of Substitute therefor.

Said motion was agreed to.

Thereupon the House took up for consideration from the Orders of the Day, the bill aforesaid.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When any city of the third class in Kentucky has not adopted the commission form of government and owns by purchase or otherwise, a system of water works for the supplying of such city and its inhabitants with water, such city is authorized to provide by ordinance for the control, management, and operation of the plant, system, and properties thereof of every kind, real and personal, tangible and intangible, in the manner hereinafter set out; when such an ordinance, adopting this Act, has once been duly passed and en-

acted, then the provisions of this Act shall be in force in said city and its water works system governed and regulated thereby and operated thereunder for a period of ten years; and thereafter until such adopting ordinance is repealed; unless before the expiration of such period the commission form of government is adopted therein.

§ 2. The Mayor of any such city shall appoint, subject to the approval of the Common Council four persons who, shall, with its President hereafter mentioned, be known as its Board of Water Works. The Mayor making the original appointment shall be a member of the Board and its President, but only until he retires from office. Thereupon he shall become a member for a term of four years and after him each retiring Mayor for a like term. Each appointee shall be at least twenty-five years of age, reside within the city, and be the owner within his own right of real estate situated therein. No officer or employee of said city, shall be eligible for appointment to the said Board. The terms of office of the persons first appointed, as above provided shall be as follows:

One until the last day of the first November succeeding his appointment; one until the last day of the second November succeeding his appointment; one until the last day of the third November succeeding his appointment; one until the last day of the fourth November succeeding his appointment.

As their terms expire and in November of each year and prior to the last day thereof, one member shall be appointed in the same manner and for the term of four years each, counting from the last day of November when their predecessor's office shall expire; and such appointees shall be eligible to succeed themselves. But each Mayor when he retires from that office, shall at once become a member of the Board for a term of four years, during which term he shall be the President thereof. He shall be entitled to vote as any other member and with the other four members shall constitute the Board of Water Works. All vacancies upon said Board whether caused by death or resignation shall be filled for the

unexpired term by appointment of the Mayor in the same manner. Each member shall hold his office until his successor has been appointed and qualified, and before exercising the duties thereof shall take an oath before some officer authorized to administer the same, that he will faithfully perform the duties of a member of the Board of Water Works.

§ 3. As soon as said Board is appointed it shall organize and elect a Secretary and a Treasurer, but the two last named may be the same person. The said officers may be one of the members of said Board or not a member thereof. Said Secretary and Treasurer shall hold their offices until the first Monday in November following their appointment and until their successors have been duly elected and qualified. On the first Monday of November of each year or soon thereafter as may be, the said Board shall elect said Secretary and Treasurer to hold their offices for one year and until their successors have been duly elected and qualified. The President and the Secretary and the Treasurer shall receive such salary as may be fixed by the Board, but all together not to exceed the sum of \$5,000.00. The members of the Board other than the President, Secretary, and Treasurer, shall receive \$3.00 for each meeting attended. Said President and Secretary and Treasurer shall before taking office, execute a bond to said Board for the faithful discharge of the duties of their several offices and that they will faithfully account for and pay over all money or other things of value which may come into their several hands. The Board shall prescribe the duties of the above officers and shall have power and authority to appoint such other agents and employees including attorneys and engineers, as they may deem necessary or proper and to fix their duties and to pay their wages, hire or compensation.

§ 4. Said Board of Water Works shall have the possession and control of all the property of every kind and description, real and personal, tangible and intangible, of said water works plant or system and appurtenant thereto, and shall manage and operate the same to furnish water to the city and

its inhabitants and its customers whether within or without the city limits; and it shall be a body corporate and have the authority to contract and be contracted with, to sue and be sued in its own name; also to establish by-laws not inconsistent with this Act or with the laws of the State of Kentucky for its own government, and to make and establish rules and regulations governing the management, maintenance, and operation of said plant or system of water works, and to publish the same for the information of the inhabitants of the city; also to make and establish rates and charges for the use of the water by customers or consumers within or without the city limits, and to declare when and how the same shall be payable; also the authority and power to collect all the rates, charges, and revenues arising from the operation of such water works, and to administer and pay out the same in a manner not inconsistent with the laws of the State of Kentucky and, if bonds have been issued or shall be issued by the city, the principal or interest of which is payable out of the revenues of said water works, not inconsistent with the laws of the State of Kentucky and with any ordinance of the city governing and regulating the issue of said bonds; to use the streets, alleys and other public ways and grounds of the city at such times and in such manner as is not inconsistent with the laws of the State of Kentucky and with the ordinances of the city; to borrow money for current expenses, but it shall not in any way mortgage or pledge the property or revenue of such water works.

§ 5. In the event the city has provided by ordinance for the issual of bonds, as authorized by Chapter 133 of the Acts of the General Assembly of Kentucky of 1926, entitled, "Act to Authorize Cities of the Second, Third and Fourth Class to Acquire Water Works, and to Issue Bonds Therefor Payable from the Revenues of such Works," or shall do so in the future, the said Board shall have power and authority to receive the proceeds of such bonds and expend the same together with the revenues arising out of the operation of the

plant or system, as provided for in said Act of the General Assembly and in the ordinance providing for the issue of such bonds, and shall operate the said water works in conformity with the provision of such act and of such ordinance; apportioning and preserving the revenues as required thereby; and it shall pay out of such revenues the principal and interest of such bonds in accordance with the said Act of the General Assembly and of the Ordinance of the city, authorizing the said bond issue.

§ 6. The said Board shall have the power and authority out of any proceeds of such bond issue or out of any surplus of operating revenues (where there is no bond issue,) over and above the annual operating and maintenance cost and expenses, to provide for, and establish additions and extensions to the said water works plant and system from time to time, as in its discretion the same shall be necessary, within the city or in the suburbs thereof.

But in the event of any issue of bonds, as set out in the preceding section, pledging the revenues of said water works for the payment of principal or interest thereof, then if any surplus shall be accumulated in the operating and maintenance of same above what is required under the above mentioned Act of the General Assembly, Chapter 133, of the Acts of 1926, and the city ordinance providing for such bond issue, which shall be equal to the costs of maintaining and operating such water works during the remainder of the fiscal year, and the costs of maintaining and operating such water works during the succeeding fiscal year, any excess over such amount may be transferred at any time to the depreciation account to be used for any improvements, extensions, or additions to such water works.

And the further accumulations in the depreciation account shall be expended in balancing the depreciation in such water works, or in making any constructions, extensions, or additions thereto at the discretion of the Board.

Any such accumulations may be invested by the Board and the income from such investment shall be carried into the depreciation account.

The reasonable cost and value of any service rendered to the city by such water works may be charged against the city, and shall be paid for monthly as the service accrues, from the current funds or proceeds or taxes, which such city is hereby authorized and required to levy in an amount sufficient for that purpose. Such funds, so paid, shall be accounted for in the same manner as other revenues of such water works.

The fiscal year of such Board of Water Works shall be the same as that of the city, and it shall make semi-annual reports to the Common Council of its operation, its receipts, and disbursements; and its account shall be subject to the supervision of the Common Council at all times.

§ 7. Said Board of Water Works shall have the power and authority, by uniform rules and regulations, to require, before furnishing water to them, all consumers of its water supply to consent and agree that said Board and the city shall not be liable for any failure in the water supply or pumps, pipes, reservoir, or sources of supply, and shall not be liable to be sued for any such failure or default of any failure or default in the management or operation of such water works.

§ 8. The said Board shall have a lien for its established and customary rates and charges upon all lots and grounds and buildings for the use of water therein or thereon, where permits have been issued for the use of such water therein or thereon upon the application of any owner of such property or his authorized agent; which lien shall be enforceable and continue notwithstanding any change of ownership or occupants, and the same shall take precedence over all other liens of said property thereafter given, or established by contract or statute, except taxes and liens given or established before such permit is issued. If any water rental or charge falls due and remains unpaid in whole or in part for a period of sixty

days thereafter, then it shall be collected with six per cent interest from its maturity and a ten per cent penalty added.

If any water rents or charges remain unpaid at the close of the fiscal year, then the lien herein given may be enforced by suit in the Circuit Court of the county. At any judicial sale of property for the enforcement of such lien, the Board may bid in same, in its discretion for a sum not exceeding the amount of its judgment, debt, interest, and cost plus any prior and superior lien thereon.

§ 9. All Acts or parts of Acts inconsistent herewith are hereby repealed.

§ 10. Inasmuch as cities in Kentucky to which this Act is applicable, are without adequate water works facilities, or the same are not adequately or sufficiently operated, thus endangering the health, safety, and convenience of the inhabitants thereof, an emergency is declared to exist, and this Act shall take effect from and after its passage and approval.

Said Substitute is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When any city of the third class in Kentucky has not adopted the commission form of government and owns by purchase or otherwise, a system of water works for the supplying of such city and its inhabitants with water, such city is authorized to provide by ordinance for the control, management, and operation of the plant, system, and properties thereof of every kind, real and personal, tangible and intangible, in the manner hereinafter set out, when such an ordinance, adopting this Act, has once been duly passed and enacted, then the provisions of this Act shall be in force in said city and its water works system governed and regulated thereby and operated thereunder until such ordinance is repealed by the Common Council, which Common Council may at any time do; in which last named event this Act shall no longer be in force therein.

§ 2. The Mayor of any such city shall appoint, subject to the approval of the Common Council, four persons who shall be known as its Board of Water Works. The Mayor making the original appointment shall act as chairman at all meetings of the Board until he retires from office. Thereupon he shall become a member of the Board for a term of four years and after him each retiring Mayor for a like term. Each appointee shall be at least twenty-five years of age, reside within the city, and be the owner within his own right of real estate situated therein. No officer or employee of said city, shall be eligible for appointment to the said Board. The terms of office of the persons first appointed, as above provided, shall be as follows:

One until the last day of the first November succeeding his appointment; one until the last day of the second November succeeding his appointment; one until the last day of the third November succeeding his appointment; one until the last day of the fourth November succeeding his appointment.

As their terms expire in November of each year and prior to the last day thereof, one member shall be appointed in the same manner and for the term of four years each, counting from the last day of November when their predecessor's office shall expire; and such appointees shall be eligible to succeed themselves. But each Mayor when he retires from that office, shall at once become a member of the Board for a term of four years, during which term he shall be the President thereof. He shall be entitled to vote as any other member and with the other four members shall constitute the Board of Water Works. All vacancies upon said Board, whether caused by death or resignation, shall be filled for the unexpired term by appointment of the Mayor, with the approval of the Common Council. Each member shall hold his office until his successor has been appointed and qualified, and before exercising the duties thereof shall take an oath before some officer authorized to administer the same, that he

will faithfully perform the duties of a member of the Board of Water Works.

§ 3. As soon as the said Board is appointed it shall organize and elect a Secretary and a Treasurer but the two last named may be the same person. The said officers may be one of the members of said Board or not a member thereof. Said Secretary and Treasurer shall hold their offices until the first Monday in November following their appointment and until their successors have been duly elected and qualified. On the first Monday of November of each year or soon thereafter as may be, the said Board shall elect said Secretary and Treasurer to hold their offices for one year and until their successors have been duly elected and qualified. The President and the Secretary and Treasurer shall receive such salary as may be fixed by the Common Council, but in aggregate not to exceed the sum of \$4,000. The members of the Board other than the President, Secretary and Treasurer, shall receive \$3.00 for each meeting attended. Said President, Secretary and Treasurer shall before taking office, execute a bond to said Board for the faithful discharge of the duties of their several offices and that they will faithfully account for and pay over all money or other things of value which may come into their several hands. The Board shall prescribe the duties of the above officers and shall have power and authority to appoint such other agents and employees including attorneys and engineers, as they may deem necessary or proper and to fix their duties and to pay their wages, hire or compensation.

§ 4. Said Board of Water Works shall have the possession and control of all the property of every kind and description, real and personal, tangible and intangible, of said water works plant or system and appurtenant thereto, and shall manage and operate the same to furnish water to the city and its inhabitants and its customers whether within or without the city limits; and it shall be a body corporate and

have the authority to contract and be contracted with, to sue and to be sued in its own name; also to establish by-laws not inconsistent with this Act or with the laws of the State of Kentucky for its own government, and to make and establish rules and regulations governing the management, maintenance, and operation of said plant or system of water works, and to publish the same for the information of the inhabitants of the city; also to make and establish rates and charges for the use of the water by customers or consumers within or without the city limits, and to declare when and how the same shall be payable; also the authority and power to collect all the rates, charges, and revenues arising from the operation of such water works, and to administer and pay out the same in a manner not inconsistent with the laws of the State of Kentucky and, if bonds have been issued or shall be issued by the city, the principal or interest of which is payable out of the revenues of said water works, not inconsistent with the laws of the State of Kentucky and with any ordinance of the city governing and regulating the issue of said bonds; to use the streets, alleys and other public ways and grounds of the city at such times and in such manner as is not inconsistent with the laws of the State of Kentucky and with the ordinances of the City; to borrow money for current expenses, but it shall not in any way mortgage or pledge the property or revenues of such water works.

§ 5. In the event the city has provided by ordinance for the issual of bonds, as authorized by Chapter 133 of the Acts of the General Assembly and in the ordinance providing for the issuance of such bonds, the Board shall operate the said water works in conformity with the provision of such act and of such ordinance; apportioning and preserving the revenues as required thereby; and it shall pay out of such revenues the principal and interest of such bonds in accordance with the said Act of the General Assembly and of the Ordinance of the city, authorizing the said bond issue.

§ 6. The said Board shall have the power and authority out of any proceeds of such bond issue or out of any surplus of operating revenues (where there is no bond issue), over and above the annual operating maintenance cost and expenses, to provide for, and establish additions and extensions to the said water works plant and system from time to time, as in its discretion the same shall be necessary, within the city or in the suburbs thereof.

But in the event of any issue of bonds, as set out in the preceding section, pledging the revenues of said water works for the payment of principal or interest thereof, then if any surplus shall be accumulated in the operating and maintenance of same above what is required under the above mentioned Act of the General Assembly, Chapter 133, of the Acts of 1926, and the city ordinance providing for such bond issue, which shall be equal to the costs of maintaining and operating such water works during the remainder of the fiscal year, and the costs of maintaining and operating such water works during the succeeding fiscal year, any excess over such amount may be transferred at any time to the depreciation account to be used for any improvements, extensions, or additions to such water works.

And the further accumulations in the depreciation account shall be expended in balancing the depreciation in such water works, or in making any constructions, extensions, or additions thereto at the discretion of the Board.

Any such accumulations may be invested by the Board and the income from such investment shall be carried into the depreciation account.

The reasonable cost and value of any service rendered to the city by such water works may be charged against the city, and shall be paid for monthly as the service accrues, from the current funds or proceeds or taxes, which such city is authorized and required to levy in any amount sufficient for that purpose. Such funds, so paid, shall be accounted for in the same manner as other revenues of such water works.

The fiscal year of such Board of Water Works shall be the same as that of the city, and it shall make semi-annual reports to the Common Council of its operation, its receipts, and disbursements; and its account shall be subject to the supervision of the Common Council at all times and each member of said Board shall be subject to removal by the Common Council for malfeasance or misfeasance in office.

§ 7. Said Board of Water Works shall have the power and authority, by uniform rules and regulations, to require, before furnishing water to them, all consumers of its water supply to consent and agree that said Board and the city shall not be liable for any failure in the water supply or pumps, pipes, reservoirs, or sources of supply, and shall not be liable to be sued for any such failure or default of any failure or default in the management or operation of such water works.

§ 8. The said Board shall have a lien for its established and customary rates and charges upon all lots and grounds and buildings for the use of water therein or thereon, where permits have been issued for the use of such water therein or thereon upon the application of any owner of such property or his authorized agent; which lien shall be enforceable and continue notwithstanding any change of ownership or occupants, and the same shall take precedence over all other liens of said property thereafter given, or established by contract or statute, except taxes and liens given or established before such permit is issued. If any water rental or charge falls due and remains unpaid in whole or in part for a period of sixty days thereafter, then it shall be collected with six per cent interest from its maturity and a ten per cent penalty added.

If any water rents or charges remain unpaid at the close of the fiscal year, then the lien herein given may be enforced by suit in the Circuit Court of the county. At any judicial sale of property for the enforcement of such lien the Board may bid in same in its discretion for a sum not exceeding the

amount of its judgment, debt, interest, and cost plus any prior and superior lien thereon.

§ 9. All Acts or parts of Acts inconsistent herewith, are hereby repealed.

§ 10. Inasmuch as cities in Kentucky to which this Act is applicable, are without adequate water works facilities, or the same are not adequately or sufficiently operated thus endangering the health, safety, and convenience of the inhabitants thereof, an emergency is declared to exist, and this Act shall take effect from and after its passage and approval.

Said Substitute as offered by the Committee was then agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Sam P. Burnam	W. J. Fisher
S. E. Anderson	J. G. Campbell	Duke W. Fowler
W. B. Ardery	Chas. B. Carver	Chas. B. Fulton
W. O. Bach	Harry Cochran	J. B. Furlong
A. J. Baldridge	J. O. Creech	F. A. Gnau
W. O. Baxter	C. B. Crossland	R. C. Graham
T. H. Benton	E. J. Doss	W. T. Green
W. P. Bowman	W. M. Duncan	A. L. Hall
Thos. L. Britton	Thos. J. Dunn	Herman Handmaker
W. G. Buckner	J. W. Edwards	Brooks L. Hargrove
S. J. Bunger	J. O. Evans	C. W. Hawkins

Phillip Helf	J. L. McKnight	S. G. Smith
J. S. Hollan	Wm. McRohan	M. E. Sparks
H. B. Holland	J. L. Manning	Dan Stamper
S. K. Holland	C. C. May	Frank L. Strange
Ira L. Horn	Henry Meiman	J. G. Swearingen
Robt. L. Horn	L. P. Murphy	Mac Swinford
Josephus Howard	James H. Muse	J. B. Taylor
W. F. Hunter	L. C. Nell	E. G. Thomas
T. M. Johnson	J. H. Payne	C. F. Thornton
John C. Kemper	J. G. Prather	P. H. Vincent
J. Porter Land	B. A. Robertson	L. M. Weathers
S. D. Laughlin	C. W. Ryans	J. A. White
Leon P. Lewis	Charles Smith	

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Resolved that the title thereof be as aforesaid.

Mr. Strange moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 295. An Act to amend and re-enact Section 1851b-3 of the Kentucky Statutes, (Carroll's 1922) providing for the appointment, term, duties and compensation of the Clerk of the Fiscal Court, deputy clerk and stenographer, Jefferson County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Fiscal Court of each county in this Commonwealth in which there is located a city of the first class, shall have a clerk, and may have a deputy clerk and may employ a

stenographer, all of whom shall attend its sessions and keep a full and correct record of all the proceedings of the Court, together with a complete index, and who, in addition, shall perform such duties as may be required of them by the Court.

The said Fiscal Court shall on or before the first day of July, nineteen hundred and twenty, and every four years thereafter, appoint a clerk who shall hold his office for a term of four years and until his successor is appointed and qualified, the first term commencing on the first day of July, nineteen hundred and twenty.

Before entering upon his duties as such Clerk, he shall take oath of office prescribed by the Constitution, and shall execute bond to be approved by the Fiscal Court, said bond to be similar to that required by law to be given by the Clerk of other Courts and shall be for and in such sums as the Fiscal Court may, from time to time, determine. He shall receive an annual salary not exceeding three thousand dollars (\$3,000.00), which salary shall be fixed by the Court and paid in monthly installments out of the County levy.

With the consent and approval of the Court, the Clerk may appoint a Deputy, who shall qualify by taking the Constitutional oath. The salary of the Deputy Clerk and the Stenographer shall be fixed by the Court and paid in the same way as the salary of the Clerk, but neither the salary of the Deputy Clerk nor the Stenographer, shall exceed eighteen hundred (\$1,800.00) dollars per annum.

§ 2. All acts and parts of acts in conflict herewith, are hereby repealed.

Mr. Gnau offered the following Amendments to said bill, viz.:

“Amend H. B. 295 by striking therefrom in the printed copy page 2, lines 17 and 18 the words and figures “Three

Thousand Dollars (\$3,000.00)'' and inserting in lieu thereof the words and figures ''Twenty-seven hundred Dollars (\$2,700.00).''

''Amend H. B. 295 by striking from the printed copy of the bill on page 2, lines 24 and 25 the words and figures. ''Eighteen Hundred Dollars (\$1,800.00)'' and inserting in lieu thereof the words and figures ''Fifteen Hundred Dollars (\$1,500.00).''

Said Amendments were agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same beng engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Chas. B. Carver	F. A. Gnau
A. L. Allen	J. O. Creech	R. C. Graham
S. E. Anderson	C. B. Crossland	W. T. Green
W. B. Ardery	E. J. Doss	E. L. Hagan
W. O. Bach	W. M. Duncan	A. L. Hall
A. J. Baldrige	Thos. J. Dunn	John G. B. Hall
W. O. Baxter	D. E. Edwards	Herman Handmaker
T. H. Benton	J. W. Edwards	Brooks L. Hargrove
W. P. Bowman	W. J. Fisher	C. W. Hawkins
Thos. L. Britton	J. C. Flener	Phillip Helf
W. G. Buckner	Duke W. Fowler	J. R. Hobbs
E. L. Campbell	Chas. B. Fulton	H. B. Holland
J. G. Campbell	J. B. Furlong	Ira L. Horn

Robt. L. Horn	Luther Morse	Charles Smith
Josephus Howard	C. C. May	S. G. Smith
W. F. Hunter	Henry Meiman	Frank L. Strange
Lester Jeter	A. M. Mercer	J. G. Swearingen
John C. Kemper	Harry J. Meyers	Mac Swinford
John B. Klefot	E. B. Miller,	J. B. Taylor
J. Porter Land	L. P. Murphy	E. G. Thomas
S. D. Laughlin	James H. Muse	C. F. Thornton
Leon P. Lewis	L. C. Nell	P. H. Vincent
J. L. McKnight	Levi W. Powell	J. C. Watkins
Wm. McRohan	J. G. Prather	J. A. White
Clark Macdonald	W. H. Pryor	
J. L. Manning	B. A. Robertson	

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Resolved that the title thereof be as aforesaid.

Mr. Handmaker moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Lewis moved that the Rules be suspended and that the House take up from the Orders of the Day, for immediate consideration, a bill entitled:

H. B. 11. An Act to change and fix the time, place, and terms of Court in the 20th Judicial District.

Said motion was agreed to.

Thereupon the House took up for consideration from the Orders of the Day, the aforesaid bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the regular terms of court in said Twentieth Judicial District shall commence in each county of the district, at the following times, places, and continue, if the business of the court shall require it, the number of juridical days hereinafter set out and prescribed herein as follows, to-wit:

Greenup County, at the City of Greenup:

Second Monday in January, eighteen juridical days; Second Monday in March, eighteen juridical days; Fourth Monday in April, eighteen juridical days; First Monday in July, eighteen juridical days; Fourth Monday in October, eighteen juridical days; Fourth Monday in November, twenty-four juridical days.

Lewis County, at the City of Vanceburg:

Second Monday in February, eighteen juridical days; First Monday in June, eighteen juridical days; Third Monday in September, twenty-four juridical days.

§ 2. All acts or parts of acts in conflict with this act, are to the extent of such conflict, hereby repealed.

§ 3. Whereas it is to the interest of the orderly conduct of the business of the courts in said district and the avoidance of expense of litigants in litigation therein that this act shall take effect between the ending of some of the terms of the court as now fixed by law and far enough in advance to give due notice to all persons concerned or affected by the change, and for this reason this act shall take effect and be in force on and after the First Monday in August, 1928, at noon of said day.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Chas. H. Fair	Leon P. Lewis
A. L. Allen	Duke W. Fowler	J. L. McKnight
S. E. Anderson	Chas. B. Fulton	Wm. McRohan
W. B. Ardery	J. B. Furlong	J. L. Manning
W. O. Bach	F. A. Gnau	Luther Morse
W. O. Baxter	R. C. Graham	C. C. May
T. H. Benton	E. L. Hagan	E. B. Miller
W. P. Bowman	A. L. Hall	L. P. Murphy
Thos. L. Britton	John G. B. Hall	James H. Muse
W. G. Buckner	Herman Handmaker	L. C. Nell
S. J. Bunger	Brooks L. Hargrove	J. H. Payne
E. L. Campbell	C. W. Hawkins	J. G. Prather
J. G. Campbell	J. R. Hobbs	W. H. Pryor
Chas. B. Carver	J. S. Hollan	Charles Smith
Harry Cochran	H. B. Holland	S. G. Smith
John Cooper	S. K. Holland	Dan Stamper
C. B. Crossland	Ira L. Horn	Mac Swinford
E. J. Doss	Robt. L. Horn	J. B. Taylor
W. M. Duncan	Josephus Howard	P. H. Vincent
D. E. Edwards	John B. Klefot	J. C. Watkins
J. W. Edwards	J. Porter Land	L. M. Weathers
J. O. Evans	S. D. Laughlin	J. A. White

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Resolved that the title thereof be as aforesaid.

Mr. Lewis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Klefot moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, FEBRUARY 17.

The House was opened with prayer by the Reverend J. E. Moss of the Methodist Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	Duke W. Fowler	J. L. McKnight
A. L. Allen	Chas. B. Fulton	Clark Macdonald
S. E. Anderson	J. B. Furlong	J. L. Manning
W. B. Ardery	F. A. Gnau	Luther Morse
W. O. Bach	R. C. Graham	C. C. May
A. J. Baldridge	W. T. Green	Henry Meiman
W. O. Baxter	E. L. Hagan	A. M. Mercer
T. H. Benton	A. L. Hall	Harry J. Meyers
W. P. Bowman	John G. B. Hall	E. B. Miller
Thos. L. Britton	T. W. Hardesty, Jr.	L. P. Murphy
W. G. Buckner	Herman Handmaker	James H. Muse
S. J. Bungler	Brooks L. Hargrove	L. C. Nell
Sam P. Burnam	C. W. Hawkins	J. H. Payne
E. L. Campbell	Joseph M. Hayse	Levi W. Powell
J. G. Campbell	Phillip Helf	J. G. Prather
Chas. B. Carver	J. R. Hobbs	W. H. Pryor
Harry Cochran	J. S. Hollan	B. A. Robertson
John Cooper	H. B. Holland	C. W. Ryans
J. O. Creech	S. K. Holland	Charles Smith
C. B. Crossland	Ira L. Horn	Daniel Boone Smith
J. R. Dorman	Robt. L. Horn	S. G. Smith
E. J. Doss	Josephus Howard	M. E. Sparks
W. M. Duncan	W. F. Hunter	Frank L. Strange
Thos. J. Dunn	Lester Jeter	Mac Swinford
D. E. Edwards	John C. Kemper	E. G. Thomas
J. W. Edwards	John B. Klefot	C. F. Thornton
J. O. Evans	J. Porter Land	P. H. Vincent
Virgil Eversole	S. D. Laughlin	J. C. Watkins
Chas. H. Fair	Leon P. Lewis	L. M. Weathers
W. J. Fisher	Wm. McClave	

Mr. Robertson moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

A message was received from the Senate announcing that they had concurred in a resolution which originated in this House of the following title, viz.:

Concurrent Resolution of the House and Senate expressing profound appreciation for the aid rendered by the American National Red Cross in the Kentucky flood disasters.

(For resolution see House Journal of February 10.)

And that they had passed bills and resolutions which originated in that body of the following titles, viz.:

1. S. Res. 11. Resolution appointing a Committee of six members to make a study of the Capitol and cost thereof, and to make a report to the next General Assembly.

2. S. B. 75. An Act providing for the taking of the sense of the people of the State as to the necessity and expediency of calling a convention for the purpose of revising or amending the Constitution of the Commonwealth, and such amendments as may have been made to same as provided by Section 258 of the present Constitution of Kentucky.

3. S. B. 126. An Act to amend Section 861 of the Kentucky Statutes relating to the power of building associations to borrow money.

4. S. B. 185. An Act to ratify and confirm the acts of the Boards of Regents of the Western Normal School and

Teachers' College and Eastern State Normal School and Teachers' College in making sales of real estate belonging to said institution.

5. S. B. 188. An Act amending and re-enacting Section 786 of Carroll's Kentucky Statutes, 1922, relating to signals required to be given by railroads, etc.

6. S. B. 228. An Act to amend and re-enact Section 4645a of the Kentucky Statutes, Edition of 1922, same being an Act relative to the employment of stenographers and clerks by the Governor.

7. S. B. 270. An Act to amend and re-enact Sections 4130, 4135, 4143, 4146, 4148, 4151, Subsection 2 and 4250 of the Kentucky Statutes, John D. Carroll's 1915 Edition, as amended by Chapter 175 of the 1926 Acts of the General Assembly of the Commonwealth of Kentucky, all relating to revenue and taxation.

8. S. B. 279. An Act to authorize the general council (or other governing body) of cities of the second class to cause streets and alleys therein to be surfaced treated for the purpose of laying dust, etc.

9. S. B. 287. An Act providing that money appropriated by Congress under the "forest reserve Act" shall be paid to the State Auditor, etc.

10. S. B. 287. An Act for the furtherance of forest fire protection; providing for the recovery of forest fire suppression costs, etc.

11. S. B. 304. An Act to add to what is known as the Lafayette Road, over which General Lafayette traveled on his memorable trip through Kentucky, to the State Primary Project.

12. S. B. 305. An Act to establish as a part of the primary system of State highways a road from Madrid, in Breckinridge County, to Dyer in Breckinridge County, via Hudsonville, and designating it as Project —.

13. S. B. 306. An Act to establish as a part of the primary system of State highways a road from Stevensport, etc.

Ordered that said bills be printed and referred as follows, viz.:

1. To Committee on State Property.
2. To Committee on Constitutional Amendments.
3. To Committee on Banks and Banking.
4. To Committee on Normal Schools.
5. To Committee on Railroads.
6. To Committee on Kentucky Statutes.
7. To Committee on Revenue and Taxation No. 1.
8. To Committee on Cities of the 2nd and 3rd Class.
9. To Committee on Forestry.
10. To Committee on Forestry.
11. To Committee on Roads and Highways No. 1.
- 12 and 13. To Committee on Roads and Highways No. 3.

Mr. Jeter moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Meyers moved that when the House adjourn today, it adjourn to meet again on Monday, February 20, at one o'clock P. M.

Said motion was agreed to.

Upon a call of the Counties and Legislative Districts, the following bills and resolution were introduced, ordered printed and referred as follows, viz.:

By Mr. Thomas:

H. B. 611. An Act relating to fugitives from justice and providing for their arrest and confinement until extradited.

To Committee on Criminal Law.

By Mr. Thornton:

H. B. 612. An Act to repeal Section 9 of an Act creating a State Text Book Commission to adopt for use in Public Schools a uniform series of text books, and being Chapter 77 of 1926 Session Acts, and enact that State Text Book Commission shall meet the first Monday in October, 1930, and every ten years thereafter for the purpose of changing or re-adopting text books and making or extending contracts for same.

To Committee on Education No. 1.

By Mr. Sparks:

H. B. 613. An Act to establish a road from Project 49-AT to the Mayo Trail on George Creek.

To Committee on Roads and Highways No. 3.

By Mr. Bowman:

H. B. 614. An Act relating to office and officers, and fixing salary of Assistant Secretary of State.

To Committee on Kentucky Statutes.

By Mr. Lewis:

H. B. 615. An Act to make all Circuit Courts in this Commonwealth, which are not now Courts of continuous sessions, Courts of continuous sessions for the trial of all cases arising in equity, or at common law in which no jury is asked for or ordered by the Court.

To Committee on Circuit Courts.

By Mr. Fair:

H. B. 616. An Act to repeal, amend and re-enact Subsection 11 of Section 606, Kentucky Civil Code of Practice.

To Committee on Codes of Practice.

By same:

H. B. 617. An Act establishing State Primary Road Project No. — from Atterson, Casey County, Kentucky, to the Liberty and Linnie Road at Wilkerson Hill.

To Committee on Roads and Highways No. 3.

By Mr. Gnau:

H. B. 618. An Act making it unlawful for any corporation representing estates in any fiduciary capacity to receive any commissions on insurance written on property under their

control or to represent any insurance company in the adjustment of any loss on property under their control.

To Committee on Insurance, Fire and Marine.

By Mr. Meiman:

H. B. 619. An Act establishing as part of the Primary System of State Highways of Kentucky, a road to run from Florence, Boone County, via Ft. Mitchell to Covington, Kentucky, and designating same as Project No. 13c.

To Committee on Roads and Highways No. 3.

By Mr. Meyers:

H. B. 620. An Act to provide an elective system of workmen's compensation for industrial accidents, prescribing the manner of election and the rights and liabilities of employers, employes and third parties; making provisions for medical and surgical care of injured employes; establishing rates of compensation for personal injuries or death; providing methods of insuring and securing the payments of such compensation; making minors *sui juris* for certain purposes; creating a commission to administer this act, prescribing the duties, powers and rights thereof and for the maintenance of such commission and providing a system of appeal from the decisions of such commission; prescribing certain penalties, with an emergency clause, and repealing all laws and parts of laws in conflict herewith, to the extent of such conflict, including Chapter 33 of the Acts of the General Assembly Session of 1916 and all amendments thereto, commonly known as the Kentucky Workmen's Compensation Law.

To Committee on Compensation for Industrial Injuries.

By Mr. Prather:

H. B. 621. An Act repealing Section 2544 a-18 relating to requiring of Peace Bond by violators of law against State Prohibition Law.

To Committee on Criminal Law.

By Mr. Meyers:

H. B. 622. An Act to require all foreign insurance companies, of every kind, before being permitted to do business in this State to deposit with the Treasurer of the Commonwealth of Kentucky, cash or bonds in the sum of twenty-five thousand dollars.

To Committee on Insurance, Fire and Marine.

By Mr. Alcock:

H. Res. 5. Authorizing Charles W. Caldwell of Danville to sue the Commonwealth of Kentucky.

To Committee on Claims.

Mr. Vincent moved that the rules be suspended and that a bill entitled,

H. B. 17. An Act providing for the election of County Superintendent by popular vote,

Be taken from the Clerk's desk for immediate consideration.

Said motion was disagreed to.

By unanimous consent Mr. Dorman introduced a bill entitled:

H. B. 624. An Act to legalize and validate the action of the State Highway Commission in allowing L. A. Faurest a fee of five hundred dollars for legal services rendered to said State Highway Commission.

Which was ordered printed and referred to Committee on Appropriations No. 1.

The Committee to which the same had been referred, reported bills of the following titles, viz.:

By Mr. May of the Committee on Banks and Banking:

H. B. 286. An Act relating to the banking and trust business, repealing and re-enacting Chapter 21 of the Acts of the General Assembly of 1926.

By Mr. Ganu of the Committee on Cities of the 1st Class:

S. B. 76. An Act to amend and re-enact Sections 3, 4 and 8 of an Act entitled "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled 'An Act to amend an Act for the government of cities of the 1st class approved July 1, 1893, for the better government, administration and discipline of the Fire Department, etc.'"

By Mr. Meyers of the Committee on Cities of the 2nd and 3rd Class:

H. B. 424. An Act to amend Section 3414 Kentucky Statutes, relating to the qualifications of city collectors in 3rd class cities and consolidating the offices of City Treasurer and City Collector.

H. B. 462. An Act entitled an Act defining the rights and duties of automobile and garage owners.

H. B. 403. An Act to regulate the conditional sale of personal property.

By Mr. J. S. Hollan of the Committee on Cities of the 4th Class:

H. B. 175. An Act relating to the Fiscal Administration of cities of the 4th Class; providing for a uniform budget system in each city of the 4th Class of the Commonwealth of Kentucky, etc.

Without an expression of opinion as to the last above named bill.

By Mr. Hall of the Committee on Classification of Cities and Towns:

H. B. 376. An Act to repeal, amend and re-enact Section 2740, Kentucky Statutes, Carroll's 1915 Edition, also Chapter 83 of the Acts of the General Assembly of Kentucky 1916, also Chapters 11 and 164 of the Acts of the General Assembly of Kentucky, 1920, etc.

With a Committee Amendment thereto.

By Mr. Baxter of the Committee on Criminal Law:

H. B. 563. An Act to repeal and re-enact Section 1173 and to repeal Sections 1174 and 1175, 1176 and 1177 Carroll's Kentucky Statutes, 1922, relating to false swearing and perjury.

Without an expression of opinion as to the last above named bill.

S. B. 101. An Act prohibiting unlawful and malicious demand for money, or goods or other things of value, by

menace, force, violence or threat of violence or blackmail or threat of blackmail, and fixing the penalty therefor.

S. B. 81. An Act to repeal and re-enact Section 1160 of Baldwin's 1926 Supplement to Kentucky Statutes, Carroll's 1922 Edition, being Chapter 61 of the Acts of the General Assembly of 1922, being entitled "An Act to amend and re-enact Section 1160 Kentucky Statutes, Carroll's Edition, 1915, relating to assault with attempt to rob," so that said Section when thus amended and re-enacted shall read as follows.

S. B. 73. An Act to regulate the making and drawing of checks and fixing a penalty for violation of same.

By Mr. Cochran of the Committee on Cities of the 5th and 6th Class:

H. B. 381. An Act to amend Subsection 9 of Section 3704 of Kentucky Statutes, Carroll's Edition, Supplement 1922-24, relating to cemeteries owned by Cities of the 6th Class.

By Mr. Kemper of the Committee on Education No. 2:

H. B. 435. An Act providing a penalty against any person who has a child under his control and who fails to comply with the law relating to sending his children to school.

H. B. 502. An Act repealing, amending and re-enacting Section 4426b-1, Kentucky Statutes, Chapter 12, of Kentucky School Laws providing for the elections of sub-district trustees in rural school districts.

By Mr. Alcock of the Committee on Fish and Game:

H. B. 319. An Act to amend Section 1954b-11, 1954b-17, 1954b-18, Kentucky Statutes, Carroll's 1922 Edition, changing

the closed season on certain furbearing animals, providing that one-half of certain fines shall be credited to the Game and Fish Commission, etc.

With Committee Amendments thereto.

H. B. 498. An Act to repeal Chapter 67 of the Acts of 1918, being Sections 1893c-1, to 1893c-15 inclusive, of Carroll's Kentucky Statutes, 1922.

By Mr. Swinford of the Committee on Judiciary:

H. B. 501. An Act creating the office of Reviser of Statutes, providing for his appointment and term of office, defining his duties, fixing his qualifications, providing for assistants and clerical help and providing for office, furnishings, stationery and postage.

H. B. 556. An Act requiring public officials of counties, graded school districts, sub-divisions and districts less than a county and municipalities whose duty it is to collect, have the custody of and disbursement of public funds of such county, etc.

By Mr. Fowler of the Committee on Military Affairs:

H. B. 288. An Act to provide payment of compensation for certain persons who served with the military forces of the United States in the recent war with Germany.

Without an expression of opinion as to the last above named bill.

By Mr. S. K. Holland of the Committee on Kentucky Statutes:

H. B. 306. An Act repealing Section 2554a-16 Kentucky Statutes, 1924 Supplement Carroll's Edition, relating to fee received by peace officers in certain cases.

H. B. 508. An Act to amend and re-enact Section 576 of Kentucky Statutes.

By Mr. Sparks of the Committee on Oils and Minerals:

H. B. 443. An Act pertaining to oil and natural gas wells; requiring a certain notice and certain reports; fixing the time and place for filing same, etc.

By Mr. Howard of the Committee on Public Health:

H. B. 567. An Act to amend and re-enact Section 2630 of Carroll's Kentucky Statutes, 1915 Edition, so as to fix the qualifications of inspectors employed by the Kentucky Board of Pharmacy.

By Mr. Dorman of the Committee on Revenue and Taxation No. 1:

H. B. 458. An Act to amend and re-enact an Act entitled "An Act to repeal and re-enact Section 11 of Chapter 114 of the Acts of 1922, being now Section 4114i-11 of the Kentucky Statutes, Carroll's Edition of 1922, relating to revenue and taxation and defining duties of the State Tax Commission.

H. B. 457. An Act relating to revenue and taxation, defining powers and duties of county boards of Supervisors, and specifying time boards may remain in session, defining duties of county court clerks and prescribing penalties for failure to perform such duties, providing compensation for supervisors, etc.

H. B. 472. An Act relating to revenue and taxation; im-

posing a privilege tax upon the business of severing sand and gravel in this Commonwealth for the purpose of sale, etc.

With an Amendment thereto by way of Substitute therefor.

By Mr. Payne of the Committee on Roads and Highways No. 1:

S. B. 162. An Act providing for a Memorial Bridge to Kentucky's Ex-Service Men of all wars.

By Mr. Miller of the Committee on State Fair:

S. B. 190. An Act authorizing the Kentucky State Board of Agriculture to convey 4.93 acres more or less of its real estate in Louisville, Kentucky, to the Kentucky & Indiana Terminal Railway Company, etc.

By Mr. Edwards of the Committee on Public Bridges and Ferries:

H. B. 529. An Act to repeal and re-enact Section 4356t-10 Kentucky Statutes, Baldwin's 1926 Supplement to Carroll's 1922 Edition, being Chapter 147 of the Acts of the General Assembly of 1924.

By Mr. Klefot of the Committee on Suffrage and Elections:

H. B. 522. An Act relating to registration for elections in cities and towns of the 1st class, and repealing, insofar as and to the extent that same relates to and governs registration for elections in cities and towns of the first class, an Act entitled "An Act relating to registration for elections in cities and towns having a population of 5,000 or more inhabitants," etc.

By Mr. Fisher on Committee on Roads and Highways:

H. B. 433. An Act to add to the Highway System in Carlisle County connecting Project 11½ with 7½.

H. B. 436. An Act to add additional road projects to the primary system of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

H. B. 438. An Act to add additional road projects to the primary system of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

H. B. 441. An Act making a road in Boyle County, Kentucky, a part of the State Highway System of Kentucky.

H. B. 449. An Act establishing and making a road leading from the Dixie Highway, known as U. S. Highway No. 31, at a point near Dew Drop Inn, by way of Glendale, to Federal Project No. 147 opposite or nearly opposite Long Grove in Hardin County.

H. B. 467. An Act to amend Chapter 17 of the Acts of the General Assembly of 1920 relating to roads and bridges.

H. B. 492. An Act establishing and making a road from Lebanon, Kentucky, to Project No. 3 at New Haven, Kentucky, by way of St. Mary's and Howardstown, as part of the primary system of State Highways, and designating said project No. 3 A-N.

H. B. 494. An Act establishing a road project beginning at a point in the Tompkinsville-Beaumont Road Project, at or near Mount Gilead Church, Monroe County, via Sulphur Lick to Temple Hill, Barren County.

H. B. 495. An Act establishing State Primary Road Project No. — from Edmonton, Metcalfe County, via Sun, Johnson's Store, Cofer to Breeding, Adair County, Kentucky.

H. B. 506. An Act establishing as part of the primary system of State Highways the road leading from Rock Hill to Hays.

H. B. 533. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of Roads and Highways.

H. B. 535. An Act to establish State Primary Road Project No. — from Brodhead, Rockcastle County, Kentucky, via Hyatt, to Conway in Rockcastle County, Kentucky.

H. B. 538. An Act relating to roads and highways and establishing and creating a Road Project No. — extending from a point on Project No. 8 at or near Nick Mills in Meade County to a point on Project No. 198 or to Project No. 8 in Meade County as a State Primary Road.

H. B. 544. An Act entitled an Act to establish and create a road leading from Gradyville, Adair County, Kentucky, to a point on Project No. — leading from Greensburg, Green County, to Edmonton, Metcalf County.

H. B. 550. An Act establishing a road beginning at the dividing line between Bullitt and Jefferson Counties, near the point where the Louisville & Nashville railroad crosses said line, and thence running south parallel with said Louisville & Nashville railroad to Brook Station and Huber Station and Gap-in-Knobs with the State Highway running from Louisville to Shepherdsville as part of the Primary System of State Highways.

H. B. 553. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road from Mammoth Onyx Cave on the Dixie Highway, in Hart County, by way of Northtown to Cub Run in said county.

H. B. 554. An Act to establish State Primary Road Project No. 30 from Beverly in Bell County to Pineville.

H. B. 557. An Act establishing as part of the Primary System of State Highways a road beginning at a point on Project No. 46 (Taylorsville and Waterford pike) approximately one mile east of Waterford and running nearly due south for a distance of six or six and one-half miles, to and intersecting with the Fairview and Highgrove road at or near Will Briscoe's, which road is now known as Waterford and Lilly pike.

H. B. 560. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road from Gresham in Green County by the way of Fry to Mell in said county.

H. B. 564. An Act to establish a road on the Primary Fork.

S. B. 2. An Act establishing as a part of the Primary System of State Highways a road from a point on the Bosworth Trail at or near Big Hill postoffice in Madison County, thence by way of Berea and Wallaceton to a point on the State Highway at or near Paint Lick in Garrard County.

S. B. 6. An Act to amend Section 5, Project 32, of Chapter 17 of the Acts of the General Assembly of 1920, now Project No. 32, under Section 4356T-5 of Carroll's 1922 Edition of the Kentucky Statutes and as amended by Chapter 234, of

the Acts of the General Assembly of 1924, relating to establishing and designating a system of State Highways and providing for their construction and maintenance.

S. B. 13. An Act to add additional road projects to the Primary Road System of the State Highways as adopted in 1920 and as amended by the Acts of 1922 and 1924.

S. B. 14. An Act establishing as a part of the Primary System of State Highways a road from a point on the Bosworth Trail at or near the storehouse of R. T. Abney in Jackson County, thence by Scaffold Cane Churchhouse to a point on the Dixie Highway at or near Round Stone, in Rockcastle County.

S. B. 16. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road running from Wickliffe, Ballard County, Kentucky, to East Cairo, Ballard County, Kentucky, said road to be designated by the State Highway Department with an appropriate project number.

S. B. 22. An Act establishing as a part of the Primary System of State Highways, a road from a point on the State Highway in the City of Berea, in Madison County, to Scaffold Cane Church House in Rockcastle County.

S. B. 26. An Act establishing and making a road from and beginning at a point near Hall's Gap in Lincoln County, Kentucky, and running to Ottenhein, Lincoln County, Kentucky, thence to Crab Orchard, Lincoln County, Kentucky, a part of the Primary System of State Highways of the Commonwealth of Kentucky.

S. B. 27. An Act establishing and making a road from and beginning at a point three-quarters of a mile south of Shelby City, Boyle County, Kentucky, and running eight miles

to Stanford, Lincoln County, Kentucky, a distance of approximately eight miles (now known as the **Knob Lick Road**) to be known in the future as the Isaac Shelby Highway, a memorial to Kentucky's first Governor, and the same be and is hereby made a part of the Primary System of the State Highways of the **Commonwealth of Kentucky**.

S. B. 30. An Act establishing a road from Marion in Crittendon County to Shady Grove, Crittenden County, and Providence, Webster County, as a part of the Primary System of State Highways, to be known as Project 108-a.

S. B. 31. An Act establishing a road from Marion, Crittenden County, to the landing opposite Elizabethtown, Hardin County, Illinois, as a part of the Primary System of State Highways, to be known as Project No. —.

S. B. 32. An Act relating to roads and bridges and amending Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920, by adding thereto Road Project No. — extending from Black's Ferry, Monroe County, to Meshack, Monroe County, and intersecting Project No. — leading from Burkesville, Cumberland County, to Tompkinsville, Monroe County.

S. B. 34. An Act establishing as a part of the Primary System of State Highways a road from Tallega in Lee County to Boonesville in Owsley County.

S. B. 35. An Act establishing as a part of the Primary System of State Highways a road from Round Stone on the Dixie Highway in Rockcastle County by way of Wildee and Clear Creek near to R. T. Abney's store on the Bosworth Trail in Jackson County.

S. B. 36. An Act relating to roads and highways, creating a road from Trenton, Kentucky, to Tennessee State Line.

S. B. 37. An Act relating to road from Elkton to Lewisburgh, Kentucky.

S. B. 38. An Act adding to the Primary System of Roads a road connecting the road from Elkton to Greenville with the road from Henderson to Hopkinsville.

S. B. 45. An Act establishing a State Primary Road project leading from Paintsville, Johnson County to Raylton, Magoffin County.

S. B. 46. An Act to amend Project No. 34 of Section five of Chapter 17 of the Acts of the General Assembly of Kentucky of 1920, which is now Section 4356t-5 of Carroll's Kentucky Statutes, 1922 Edition, relating to roads and bridges and establishing a system of primary roads for the State of Kentucky and making provisions for the establishment, construction and maintenance of same, by adding thereto and extending said Project No. 34 from the Mouth of Wolf Creek up Tug River via Oppy to Winco Block just above the Henry Stepp Branch.

S. B. 53. An Act to establish a state primary road project to be known as project No. — to begin at Madisonville, Hopkins County, by way of the old abandoned railroad bed of the L. & N. to Slaughters, this section is known as Project No. —, thence by the newly constructed route by way of Belcourt to Sebree in Webster County, thence by route to be located to Robards, Henderson County, thence by way of the Knoblick by Anthoston to Henderson, a distance of 40 miles.

S. B. 57. An Act establishing a road from Morganfield, Kentucky, through Hitesville, to the Henderson County Line, to be known as Project No. —

S. B. 58. An Act establishing a road from a point on the Federal Highway No. 60, near Sturgis, Kentucky running near or through Pride, Union County, Kentucky, to a point on the proposed Shawnee Trail at or near Little Union Church near Morganfield, Kentucky, to be known as Project No. —.

S. B. 59. An Act establishing a road from Boxville in Union County to a point on Highland Creek, the dividing line between Union and Henderson Counties, near Herman Valley, in Union County, known as a part of the Primary System of State Highways, to be known as Project No. —.

S. B. 63. An Act to amend Kentucky Statutes, Section 4356t-5, relating to the Primary System of State Highways.

S. B. 64. An Act to amend Section 5 of Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County, thence to King's Mountain, Lincoln County, Kentucky, and on to a point nearby intersecting the State Highway running between Danville, Kentucky, and Somerset, Kentucky, be and is hereby made a part of the State Primary System of Highways.

S. B. 65. An Act entitled an Act, establishing and making the road from Hustonville, Lincoln County, Kentucky, to Mt. Salem, Lincoln County, Ky. a part of the Primary System of State Highways of the Commonwealth of Kentucky and designating said road as Project No. —.

S. B. 66. An Act to amend section 5 of chapter 17 of the Acts of the General Asembly of the Commonwealth of Kentucky, placing the road leading from Yosemite, Casey County, thence to Turnersville, Lincoln County, Kentucky, be and is hereby made a part of the State Primary System of Highways.

S. B. 74. An Act relating to roads and bridges and amending chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920 by adding thereto road project No. — extending from Shepherdsville in Bullitt County to Bardstown in Nelson County via Cedar Grove and Solitude.

S. B. 75. An Act relating to roads and bridges and amending chapter 17 of the Acts of 1920 by adding thereto road project No. — extending from Shepherdsville to Bullitt County to Bardstown in Nelson County via Cedar Grove and Samuels.

S. B. 79. An Act to amend section 4356t-5, Kentucky Statutes, relating to the system of primary State roads by including therein a road extending from Clinton, Hickman County, to Oakton in said county.

S. B. 85. An Act establishing a State Primary Road Project from the Mayo Trail at or near the Mouth of Bolt's Fork to the Kilgore-Trace Road.

S. B. 91. An Act to amend section 5 of chapter 17 of the Acts of the General Assembly of Kentucky of the 1920 Session, approved March 16, 1920, which act relates to roads and bridges and the creation of the Department of State Roads and Highways, etc., but adding to said act project No. —, which shall run from the intersection of the Russellville in Logan County, Kentucky, to Claymore, in Todd County, Kentucky, where the same intersects one of the main highways of that section.

S. B. 92. An Act to amend section 5 of chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky of the 1920 Session, approved March 16, 1920, which relates to roads and bridges and the creation of the Depart-

ment of State roads and highways, but adding to said Act project No. —, which shall run from Franklin, in Simpson County, Kentucky, to Morgantown, Butler County, Kentucky, via south Union in Logan County, Kentucky.

S. B. 93. An Act establishing as part of the State Highway System of roads leading from the Yelvington and Owensboro road via Maceo to the Rockport Ferry in Daviess County, Kentucky.

S. B. 96. An Act to amend and re-enact chapter 248 (page 952) of the 1926 Acts of the General Assembly of Kentucky relating to roads, bridges and highways and describing and fixing a project to be added to the primary system of roads and highways.

S. B. 98. An Act establishing as part of the State highway system a road leading from the Island-Livermore road to Rumsey, Ky., by way of Basin.

S. B. 100. An Act to add to the public highways of the State a road from Dixon to Sebree by way of Ortix, Webster County.

S. B. 107. An Act relating to roads and bridges and establishing a new project to be a part of the State primary system of roads, beginning at the Garrett Highway at or near the Mouth of Lick Branch and extending to Tug River at or near the West Virginia Highway.

S. B. 108. An Act to establish a State Primary Road project from project No. 34 near Paintsville, in Johnson County, Kentucky, via Davis Branch and the Big Sandy River to intersection of State highway projects No. 39 and 195.

S. B. 114. An Act establishing a road from Coxs Creek, Kentucky, to Taylorsville, Kentucky, by way of Fairfield and

Little Union, as part of the primary system of State Highways, and designating said project as project No. 3b.

S. B. 115. An Act establishing a road from Springfield, Kentucky, to Chaplin, Kentucky, by way of Mount Zion and Tunnill Mill, as part of the primary system of State Highways, and designating said project as project No. 44b.

S. B. 116. An Act establishing a road from a point near Chaplin, Kentucky, in project No. 44, to Mt. Eden, Kentucky, by way of Greens Chapel and Van Buren, as part of the primary system of State Highways, and designating said project as project No. 44a.

S. B. 117. An Act establishing State Primary Road Project No. — from Wisdom, Metcalfe County, Ky., by the way of Randolph to a point in the Burkesville-Glasgow Road approximately 7 miles.

S. B. 119. An Act to amend the primary road system by adding project No. — thereto from Princeton to Dixon, Kentucky.

S. B. 122. An Act relating to roads and bridges and establishing and creating a road project No. —, extending from a point on project No. 8 at or near Nick Mills in Meade County to a point on project No. 198 between Tom Hobbs' place and the Hall Schoolhouse in Meade County as a State Primary Road.

S. B. 124. An Act relating to roads and bridges and establishing and creating a road project No. —, extending from Bardstown Junction, Bullitt County, to Bardstown in Nelson County, via Clermont and Deatsville, as a State primary road.

S. B. 125. An Act to amend section 4356t-5 Kentucky Statutes, Carroll's Edition of 1922, relating to the system of primary State roads by including in said primary system of the State a road leading from project No. 9 at Rock, Graves County, Kentucky, south to the Tennessee State Line to connect with the Highway System of the State of Tennessee in Weekly County, Tennessee, and with a highway of the State System leading north from Dresden, the County Seat of Weekly County, to Kentucky-Tennessee State Line, to be known as project No. — in said system.

S. B. 132. An Act to amend the primary road system by adding project — thereto from Murray, Calloway County, via Coldwater, to Mayfield, Graves County.

S. B. 133. An Act to amend the primary road system by adding project — thereto from Murray, Calloway County, to Pine Bluff on Tennessee River.

S. B. 134. An Act to amend the primary road system by adding project — thereto from Eddyville, Lyon County, to Golden Pond, Trigg County, between the rivers through game reserve.

S. B. 135. An Act to amend the primary road system by adding project — thereto from Princeton, Caldwell County, via Cobb and Cerulean County to Gracey, Christian County.

S. B. 136. An Act to amend the primary road system by adding project — thereto from Cadiz, Trigg County, via Cerulean to Hopkinsville and Princeton road in Christian County.

S. B. 138. An Act to amend and re-enact chapter 17 of the Acts of the General Assembly of Kentucky of 1920 (Section 4356t-5 Kentucky Statutes, Carroll's 1922 Edition) as

amended relating to public roads, bridges and highways, by adding thereto a new project to be designated as project No. 29a.

With the expression of opinion that said bills ought to pass, with the exceptions specifically set out above.

Said bills were severally read at length the first time and ordered to be placed in the Orders of the Day.

Mr. Creech moved that a bill entitled:

S. B. 129. An Act to enable cities of the second class to adopt and operate under the City Manager form of government, and amending section 3235c-3 of Carroll's Kentucky Statutes,

Be called from the Committee on Cities of the 2nd and 3rd Class and considered by the House in the same manner it would have been considered without an expression of opinion from such Committee.

Said motion was agreed to.

Thereupon said bill was read at length the first time and ordered to be placed in the Calendar.

Mr. S. K. Holland of the Committee on Kentucky Statutes, to which the same had been previously referred, reported a bill entitled:

H. B. 339. An Act repealing and re-enacting section 1961 of Carroll's Kentucky Statutes, to prohibit the sale of combinations of French pools, or the operation of pari-mutuel machines,

With the expression of opinion that said bill ought not to pass.

Mr. Hargrove moved that said bill be advanced to a reading, the report of the Committee to the contrary notwithstanding.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Hargrove and Allen were as follows, viz.:

Those who voted in the affirmative were—

A. L. Allen	Chas. B. Fulton	A. M. Mercer
W. O. Bach	E. L. Hagan	E. B. Miller
W. O. Baxter	A. L. Hall	James H. Muse
T. H. Benton	John G. B. Hall	J. H. Payne
Thos. L. Britton	Brooks L. Hargrove	J. G. Prather
S. J. Bunker	J. R. Hobbs	W. H. Pryor
Harry Cochran	H. B. Holland	B. A. Robertson
John Cooper	S. K. Holland	Charles Smith
E. J. Doss	Ira L. Horn	S. G. Smith
W. M. Duncan	Robt. L. Horn	M. E. Sparks
D. E. Edwards	Lester Jeter	Mac Swinford
J. W. Edwards	T. M. Johnson	C. F. Thornton
J. O. Evans	John C. Kemper	P. H. Vincent
Chas. H. Fair	S. D. Laughlin	J. C. Watkins
W. J. Fisher	Wm. McClave	L. M. Weathers
Duke W. Fowler	Wm. McRohan	

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Those who voted in the negative were—

J. Curtis Alcock	Sam P. Burnam	Thos. J. Dunn
S. E. Anderson	E. L. Campbell	Virgil Eversole
W. B. Ardery	J. G. Campbell	J. C. Flener
A. J. Baldridge	Chas. B. Carver	J. B. Furlong
W. P. Bowman	J. O. Creech	F. A. Gnau
W. G. Buckner	J. R. Dorman	R. C. Graham

T. W. Hardesty, Jr.	J. Porter Land	L. P. Murphy
Herman Handmaker	Leon P. Lewis	Levi W. Powell
C. W. Hawkins	Clark Macdonald	C. W. Ryans
Joseph M. Hayse	J. L. Manning	Daniel Boone Smith
Phillip Helf	Luther Morse	Frank L. Strange
Josephus Howard	C. C. May	J. G. Swearingen
W. F. Hunter	Henry Meiman	E. G. Thomas
John B. Klefot	Harry J. Meyers	—41

Thereupon said bill was read at length the first time and ordered to be placed on the Calendar.

Mr. Kemper of the Committee on Education No. 2, to which the same had been referred, reported a bill entitled:

H. B. 497. An Act requiring all public officials of the county, municipalities, public sub-divisions and graded school districts less than a county, whose duty it is to receive or have the custody of public funds of such county, etc.

With the expression of opinion that said bill ought not to pass.

Mr. Doss moved that said bill be advanced to a reading, the report of the Committee to the contrary notwithstanding.

Said motion was disagreed to.

And so said bill was rejected.

The Committees to which the same had been previously referred, reported bills of the following titles, viz.:

By Mr. Baxter of the Committee on Criminal Law:

H. B. 482. An Act regulating the use, possession and carrying of pistols; providing for registration of the owner

of same and the payment of a license fee for the possession thereof, etc.

H. B. 515. An Act to amend section 1159, Kentucky Statutes, Carroll's 1922 Edition, relating to burglary.

By Mr. May of the Committee on Banks and Banking:

H. B. 444. An Act to amend and re-enact chapter 23 of the Acts of the General Assembly of 1926, approved March 19, 1926, relating to reports to be made by certain financial institutions for purposes of taxation, etc.

By Mr. Alcock of the Committee on Fish and Game:

H. B. 505. An Act to preserve game and edible fish.

With the expression of opinion that said bills ought not to pass.

No motion having been made to advance said last named bills to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken by the House on said bills, it was ordered that said bills be rejected.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 368. An Act repealing section 4356 of Carroll's Kentucky Statutes, 1922 Edition, being Chapter 86 of the Acts of the General Assembly of 1914, entitled "An Act declaring certain public roads a system of public State highways and public works of the State of Kentucky," etc.

H. B. 490. An Act to establish and to provide for the

organization and maintenance of a State teachers' retirement system and appropriating money therefor.

H. B. 496. An Act prescribing procedure whereby adjacent school districts in any county may be combined; also designating procedure and means whereby county, city and graded common school district boards of education may transfer students of any grade from one school district to a public school in another district without changing district boundaries.

H. B. 489. An Act to repeal and re-enact section 3, chapter 52, Acts of 1924, relating to the powers of the county Board of Education.

H. B. 476. An Act designating the place of residence of the inmates of orphans' homes maintained and operated in this commonwealth by corporations created under the provisions of section 879 of the 1922 edition of Carroll's Kentucky Statutes, for the purpose of admitting them into publicly maintained schools, and providing for their enumeration by the census taker of pupils eligible to attend public schools, etc.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Crossland of the Committee on Enrollments reported that they had examined and found to be correctly enrolled a bill which originated in this House entitled:

H. B. 40. An Act to regulate the business of brokers and prescribing penalties for the violations of this Act.

And that they had examined and found to be correctly enrolled bills which originated in the Senate, entitled:

S. B. 86. An Act creating the Kentucky Geological Survey and designating its Executive Officer and his duties and providing funds for its maintenance.

S. B. 120. An Act to repeal and re-enact section 112 and 13 and 112-4 of the 1926 Supplement of Carroll's Kentucky Statutes, 1922, being chapter 23, Acts of 1924, relating to the office of the Attorney General, providing for six Assistant Attorneys-General and fixing the qualifications and salaries of said Assistants and providing for their expenses when called on business from the Capitol and further providing for clerical and stenographic employees and their compensation.

Said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate, for the purpose of comparison and in order that the President of the Senate may affix his signature thereto.

After a time, said Enrolling Clerk of the House delivered said original and enrolled copies of said bills, duly signed by the President of the Senate, into the hands of the Chief Clerk of the House.

Ordered that the Chief Clerk of the House deliver said bills to the Governor.

After a time the Chief Clerk of the House reported that he had discharged that duty.

Ordered that the aforesaid Senate Bills be delivered to the Enrolling Clerk of the Senate.

The hour of eleven o'clock A. M. having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration said Special Order, to-wit:

H. B. 293. An Act to create a Board of Chiropractic Examiners and to regulate the practice of Chiropractic and to provide penalties for violation of this Act and to prohibit the practice of any other mode or system under the name of Chiropractic.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Creation of a Board. That there is hereby created a Board of Chiropractic Examiners, to be known as The Kentucky State Board of Chiropractic Examiners.

That the Governor of Kentucky shall appoint such Board consisting of three members, within thirty days after this act takes effect. Such appointment by the Governor shall be made from Chiropractors now holding a license in the State of Kentucky.

The appointees shall meet within ten days after their appointment and organize by electing a President, Secretary and Treasurer, and adopting reasonable rules and regulations for the transaction of business, and for putting into effect the provisions of this act.

Subsequent appointments and appointees shall be graduates of Chiropractic Schools or Colleges giving a course of at least 2200 60-minute daylight resident hours in anatomy, physiology, symptomatology, hygiene, sanitation, chiropractic

analysis and the principles and practice of Chiropractic and requiring actual attendance upon the classes. No one may be appointed who practices anything but Chiropractic as hereinafter defined. But this grammatical paragraph shall not apply to Chiropractors who now hold license in Kentucky.

The term of office of the first member shall be one year; the second, two years; the third, three years. Appointees after the first shall serve for three years, and until their successors shall have been duly appointed and qualified. Vacancies shall be filled by the Governor within thirty days.

§ 2. Meetings. The Board shall hold regular meetings to examine applicants and for the transaction of business, commencing on the first Tuesday of June and December, in each year. Special meetings may be called by the president and secretary upon thirty days' notice printed in a newspaper of general circulation in the State.

Said Board shall have authority to administer oaths, take affidavits, summon witnesses and take testimony as to matters pertaining to their several duties, adopt a seal which shall be affixed to all license issued, adopt reasonable rules and regulations for the transaction of business and by-laws relating to the enforcement of the provisions of this Act not inconsistent therewith.

§ 3. Officers. The custodian of public property shall, at the request of the Board, provide an office in the Capitol Building where meetings may be held. Special meetings may be held anywhere in the State under call of the President or other authorized officer in the absence of the President.

§ 4. Eligibility. Any person of good moral character who is a graduate of a Chiropractic School or College teaching Chiropractic, and giving a course as defined in Section 1 of this act, shall be eligible to examination, provided he possesses preliminary education or experience equivalent to a high school education, and provided further that he practices nothing but Chiropractic, as hereinafter defined.

§ 5. **Chiropractic Defined.** Chiropractic is defined as the science of locating and adjusting the subluxations of the articulations of the human spine and its adjacent tissues.

§ 6. **Practitioners.** No person shall practice Chiropractic without a license, which license shall not entitle him to practice anything else. And, no one may hold himself out as a Chiropractor without having a license.

§ 7. **Examinations.** Any one desiring an examination shall, at least fifteen days prior to the meeting of the Board, make written application to the Secretary. Such application shall be accompanied by an examination fee of twenty-five dollars, and a written recommendation of two reputable resident chiropractors practicing chiropractic as herein defined, in the State of Kentucky.

The application shall state the name, age, sex and place of residence of the applicant, the name and location of the school or college from which he graduated, the length of time devoted to the study of Chiropractic, the date of graduation, together with such other data as the applicant may desire to give. In case an applicant fails in the first examination, he shall be entitled to a second one, without further fee. Application shall be signed and sworn to by the applicant.

The Board shall prepare reasonable questions, and fairly mark and grade the answers thereto, all of which shall be done solely for the purpose of determining whether the applicant is reasonably qualified to practice Chiropractic. All applicants reasonably qualified to practice Chiropractic shall be granted a license.

§ 8. **License.** Such licensees shall be required to pay an annual renewal fee of one dollar.

The secretary and treasurer shall, fifteen days or more before the first day of November of each year, mail to all licensed Chiropractors in this State, a notice that the renewal fee of one dollar will be due, as above set out.

All licenses shall be signed by the president and secretary and shall be attested by the official seal of the Board.

Licensees shall file their license with the County Clerk of the county in which they reside before practicing, and the said clerk is directed to record same.

§ 9. Reciprocity. Any person of good moral character, who has been licensed by a Chiropractic Board of any other State or territory may be licensed without examination, upon payment of fifty dollars, provided he or she practices Chiropractic as defined in this act and provided that such State or territory extends like reciprocity to licensees of Kentucky, and further provided applicant is and furnishes satisfactory evidence that he has been for a reasonable length of time in good standing in the state association from whence he comes.

§ 10. Revocation. Upon complaint to the Board, after twenty days' notice of time and place of trial has been given to any licensee, if it be found that he or she no longer possesses a good moral character or is addicted to the use of narcotic drugs or in any way is guilty of deception or fraud in the practice of Chiropractic, his license shall be revoked.

§ 11. If the applicant is aggrieved by the action of the Board, he may appeal to the district Circuit Court on the merits and finally, if he desires, to the Court of Appeals of Kentucky.

§ 12. Finances. Within ten days after the close of every meeting of the Board, the Treasurer shall turn over to the State Treasurer all sums belonging to the Board, and take his receipts therefor. The Treasurer shall keep the same in a separate fund, to be used in paying running expenses of the Board and a per diem of twenty-five dollars to each member thereof for such time as they may actually spend in the discharge of their official duties and necessary traveling expenses. All expenses incident to the proper functioning of said Board shall be paid out of the fund of the State Board of Chiropractic Examiners and not otherwise.

Any such funds may be drawn only by checks or orders signed by the President, Secretary and Treasurer of the Board. If at the close of any fiscal year, there remains in the

hands of the State Treasurer five thousand dollars over and above all indebtedness of the Board, the same shall be turned over to the Public School Fund.

§ 13. Penalties. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars or by imprisonment in the county jail for a term not to exceed three months, or by both such fine and imprisonment.

§ 14. Chiropractic licensees under this act are authorized to sign death certificates, declare quarantine, sign and execute all legal documents and certificates with the same authority as, under the law, members of other schools or systems of treatment may do.

§ 15. Repeal. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 16. Constitutionality. If any section or part of this Act should be declared unconstitutional, it shall not affect the validity or force of any other section or part thereof not declared to be unconstitutional.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	A. J. Baldridge	W. G. Buckner
A. L. Allen	W. O. Baxter	J. G. Campbell
S. E. Anderson	T. H. Benton	Chas. B. Carver
W. B. Ardery	W. P. Bowman	John Cooper
W. O. Bach	Thos. L. Britton	J. O. Creech

C. B. Crossland	Phillip Helf	L. P. Murphy
J. R. Dorman	J. R. Hobbs	James H. Muse
W. M. Duncan	Ira L. Horn	Levi W. Powell
Thos. J. Dunn	Josephus Howard	J. G. Prather
J. W. Edwards	W. F. Hunter	W. H. Pryor
J. O. Evans	Lester Jeter	B. A. Robertson
Virgil Eversole	T. M. Johnson	C. W. Ryans
Chas. H. Fair	John C. Kemper	Charles Smith
W. J. Fisher	J. Porter Land	Daniel Boone Smith
J. C. Flener	S. D. Laughlin	S. G. Smith
Duke W. Fowler	J. L. McKnight	M. E. Sparks
J. B. Furlong	Wm. McRohan	Frank L. Strange
F. A. Gnau	Clark Macdonald	J. G. Swearingen
R. C. Graham	J. L. Manning	Mac Swinford
E. L. Hagan	Luther Morse	E. G. Thomas
A. L. Hall	C. C. May	C. F. Thornton
John G. B. Hall	Henry Meiman	P. H. Vincent
Herman Handmaker	A. M. Mercer	J. C. Watkins
Brooks L. Hargrove	Harry J. Meyers	L. M. Weathers
C. W. Hawkins	E. B. Miller	

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Those who voted in the negative were—

E. L. Campbell	T. W. Hardesty, Jr.	J. A. White
E. J. Doss	Leon P. Lewis	

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Resolved that the title thereof be as aforesaid.

Mr. Jeter moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Helf moved that the Rules be suspended and that a bill entitled:

H. B. 558. An Act authorizing and empowering counties having a city of the 2nd class to purchase, construct and re-

construct bridges over or tunnels under any boundary line stream of this Commonwealth (including the Ohio river). and to negotiate, purchase or obtain suitable and necessary approaches thereto from or in an adjoining State or any subdivision thereof, and any property from or in such adjoining State or subdivision thereof needed for the construction or support of such bridge or tunnel, etc.,

Be made a Special Order of the Day for next Monday, February 20, at one-forty o'clock P. M.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 260. An Act creating the office of assistant county attorney in counties where the population is over fifty thousand people and not having a city of the first and second class. The manner of appointment, term of office, compensation, duties and qualifications.

Mr. Ryans moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 298. An Act to repeal and re-enact section 440, Carroll's Kentucky Statutes, Sixth Edition, 1922.

Mr. Gnau moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 299. An Act regulating magistrates' courts as prescribed by section 142 of the Constitution of Kentucky.

Mr. Gnau moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 190. An Act to prohibit the running at large of cattle or any species thereof in any voting precinct, magisterial district or county, and rights-of-way embraced in the State Primary Highway System while roads are under construction or reconstruction on such rights-of-way in any voting precinct, etc., and to repeal sections 4646, 4647, 4648, 4649, 4650 and 4651, Carroll's Kentucky Statutes, and section 4649a Baldwin's 1926 Supplement to Kentucky Statutes, and all laws in conflict with this Act, and providing for the violation of this act and declaring an emergency.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the petition of twenty-five (25) legal voters of any voting precinct or fifty (50) legal voters of any magisterial district or one hundred (100) legal voters in any county, filed in the county court of such county, asking a submission of the question whether cattle or any species thereof shall be permitted to run at large in such voting precinct, magisterial district or county, the county court shall direct the sheriff of such county and the officers of election in such voting precinct, magisterial district or county, to open a poll

at the next regular election held in such voting precinct, magisterial district or county, in not less than sixty (60) days after the filing of such petition, for the purpose of ascertaining the will of the voters of such voting precinct, magisterial district or county, upon the question whether or not they are in favor of making it unlawful for cattle or any species thereof to run at large in such voting precinct, magisterial district or county; provided, however, that before any election shall be held under the provisions of this act, the fiscal court of the county shall decide by a majority of the members composing the same whether said election shall be confined to voting precincts or magisterial districts, or shall be to take the sense of the voters of the entire county, such decision of said court to be entered on the records of said court, and the same shall not be changed for a period of four (4) years; and provided, further, that no subsequent order of said court in respect to the territory to be embraced at any election shall have the effect to annul or render void any election held under the provisions hereof until after the expiration of four (4) years from the date of such election, or render ineffectual any fiscal court orders heretofore made or elections held thereunder, on the question of cattle running at large, until the expiration of four (4) years after such election is held, except as to rights-of-way hereinafter provided for.

§ 2. That no such election shall be ordered unless the petitioners shall deposit with the county court, at the time the petition is filed, an amount sufficient in the judgment of the court, to defray the expenses of the election upon this question, nor shall such question be submitted unless notice thereof be published twenty (20) days before the election in at least four (4) issues of the paper published in such county; if there be one, having the largest bona fide circulation in the county; if there is no paper published in the county, notice shall be given by posting notices thereof on the court house door or bulletin board for the court house and in four (4) public places

in each precinct in which the election is to be held, at least twenty (20) days before the election.

§ 3. That the petition filed in the county court and the notices required to be published or posted shall state whether it is proposed to prohibit the running at large of cattle generally or only certain species thereof, and if only certain species thereof, they shall be designated by name.

§ 4. That when an election is ordered as herein provided, the county clerk shall have printed on the ballots for each precinct in which a vote is to be taken the question: "Are you in favor of making it unlawful for cattle (or the species thereof designated in the petition) to run at large on the public highways and unenclosed lands of the ——— voting precinct, magisterial district or county (naming the voting precinct, magisterial district or county)," and if a majority of those voting upon this question shall vote no, or in favor of permitting cattle or the species thereof named in the petition to run at large, then this law shall not be in effect in the voting precinct, magisterial district or county, as the case may be, where the vote is taken, except as to rights-of-way hereinafter provided for; but if a majority of those voting upon this question shall vote yes, or against the running at large of cattle, or the species thereof named in the petition, then it shall be unlawful after thirty (30) days after said election, for any person to permit any cattle or the species thereof named in the petition, owned by or under his control or in his custody, to run at large in said voting precinct, magisterial district or county, as the case may be; and any person so offending shall be fined not less than five dollars (\$5.000) nor more than twenty-five dollars (\$25.00) for each offense; and if any damage shall be committed by cattle in any such voting precinct, magisterial district or county, the owner of such cattle shall be liable for all such damages, whether the place where the damages occurred be enclosed by lawful fence or not, and the person damaged shall have a lien on the cattle committing the damage for the amount thereof and cost of suit; and

it shall furthermore be the duty of any constable, sheriff or town marshal to impound any such cattle found running at large in such voting precinct, magisterial district or county, and the owner or bailee thereof shall pay to the officer impounding, for each head so impounded, one dollar (\$1.00) and the cost of feeding and taking care of such cattle; provided the cost of impounding any number of cattle at any one time shall not exceed three dollars (\$3.00) and the cost of feeding, and such officer shall have a lien on the cattle so impounded for his fees and expenses, which he may enforce in the manner in which mortgage liens are enforced.

§ 5. That in any prosecution for a violation of any provision of this act, it shall not be necessary to allege that a vote was taken, or an election held, or any other step relative thereto; but it may simply be stated in the indictment, warrant or information that the act or acts charged were committed in a territory where the said act was in force; and in said indictment, warrant or information it shall be sufficient to designate said act as the law regulating cattle running at large.

§ 6. That the poll of elections held under this law shall be compared and the result announced in the manner, at the time and by the persons authorized to compare the polls and declare the results in elections held for county offices; and the result shall be spread upon the records of the county court at its next regular term held after the result is declared; and the result of the election may be contested in the manner provided for the contest of elections held for county officers, except that notice of the contest shall be signed by at least five (5) persons who voted at the election and shall be served upon at least five (5) persons who voted on the opposite side at the election, and costs shall be recovered by the prevailing party as in other cases of contested elections for county officers.

§ 7. That in any voting precinct, magisterial district or county in which a vote is taken under this law or has heretofore been taken under another law providing for an election to be held on the question of cattle running at large, another

vote shall not be taken on such question until after the expiration of four (4) years from the time the last vote was taken on such question. Provided, however, that in any voting precinct, magisterial district or county, wherein the sense of the people has or has not been taken on the question of cattle running at large, it shall be unlawful for cattle to run at large on rights-of-way, on enclosed lands, whenever and wherever the fencing of such lands or fields are open for the construction or reconstruction of any part of the primary System of State Highways, either by contractors or by the employees of the State Highway Department until such work is completed and same is so accepted by the State Highway Department.

§ 8. That Sections 4646, 4647, 4648, 4649, 4650 and 4651 of the Kentucky Statutes and 4649a of Baldwin's 1926 Supplement to the Kentucky Statutes and all other laws in conflict herewith, be and the same are hereby repealed and this act shall constitute all the law on the subject of cattle running at large.

§ 9. Whereas, it is not practicable to fence highways in course of construction, while work is in progress, and the danger to crops and property opened on rights-of-way in enclosed lands during such construction or reconstruction makes it objectionable for cattle to be at large on such rights-of-way, even in those voting precincts, magisterial districts or counties, wherein the sense of the voters is in favor of stock running at large; and whereas, this condition applies in many sections of the counties and this state where the road construction and reconstruction is now under contract and in progress, an emergency is hereby declared, and this act shall take effect from and after its passage by the General Assembly and its approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	Duke W. Fowler	Clark Macdonald
A. L. Allen	J. B. Furlong	J. L. Manning
S. E. Anderson	F. A. Gnau	Luther Morse
W. B. Ardery	R. C. Graham	Henry Meiman
A. J. Baldridge	E. L. Hagan	Harry J. Meyers
W. O. Baxter	John G. B. Hall	James H. Muse
T. H. Benton	Brooks L. Hargrove	J. H. Payne
W. P. Bowman	C. W. Hawkins	Levi W. Powell
Thos. L. Britton	Phillip Helf	J. G. Prather
W. G. Buckner	J. R. Hobbs	W. H. Pryor
Sam P. Burnam	H. B. Holland	C. W. Ryans
E. L. Campbell	Ira L. Horn	Charles Smith
J. G. Campbell	Robt. L. Horn	Daniel Boone Smith
Chas. B. Carver	W. F. Hunter	S. G. Smith
John Cooper	T. M. Johnson	M. E. Sparks
C. B. Crossland	John C. Kemper	Frank L. Strange
E. J. Doss	J. Porter Land	Mac Swinford
J. W. Edwards	S. D. Laughlin	C. F. Thornton
Virgil Eversole	Leon P. Lewis	J. C. Watkins
Chas. H. Fair	Wm. McClave	L. M. Weathers
W. J. Fisher	J. L. McKnight	J. A. White
J. C. Flener	Wm. McRohan	

—65

Those who voted in the negative were—

J. R. Dorman	W. T. Green	L. P. Murphy
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Resolved that the title thereof be as aforesaid.

Mr. Jeter moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Jeter moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

MONDAY, FEBRUARY 20, 1928.

The House was opened with prayer by the Reverend Chesterfield Turner of the First Baptist Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

J. Curtis Alcock	E. J. Doss	Brooks L. Hargrove
A. L. Allen	W. M. Duncan	C. W. Hawkins
S. E. Anderson	Thos. J. Dunn	Joseph M. Hayse
W. B. Ardery	D. E. Edwards	Phillip Helf
W. O. Bach	J. W. Edwards	J. R. Hobbs
Walter J. Bailey	J. O. Evans	J. S. Hollan
A. J. Baldrige	Virgil Eversole	H. B. Holland
W. O. Baxter	Chas. H. Fair	S. K. Holland
T. H. Benton	W. J. Fisher	Ira L. Horn
W. P. Bowman	J. C. Flener	Robt. L. Horn
Thos. L. Britton	Duke W. Fowler	Josephus Howard
W. G. Buckner	Chas. B. Fulton	W. F. Hunter
S. J. Bungler	J. B. Furlong	Lester Jeter
Sam P. Burnam	F. A. Gnau	T. M. Johnson
E. L. Campbell	R. C. Graham	John C. Kemper
Chas. B. Carver	W. T. Green	J. Porter Land
Harry Cochran	E. L. Hagan	Leon P. Lewis
John Cooper	A. L. Hall	Wm. McClave
J. O. Creech	John G. B. Hall	J. L. McKnight
C. B. Crossland	T. W. Hardesty, Jr.	Clark Macdonald
J. R. Dorman	Herman Handmaker	J. L. Manning

Luther Morse	Levi W. Powell	J. G. Swearingen
C. C. May	J. G. Prather	Mac Swinford
Henry Meiman	W. H. Pryor	J. B. Taylor
A. M. Mercer	B. A. Robertson	E. G. Thomas
Harry J. Meyers	C. W. Ryans	C. F. Thornton
E. B. Miller	Charles Smith	J. D. Via
L. P. Murphy	Daniel Boone Smith	P. H. Vincent
L. C. Nell	S. G. Smith	J. C. Watkins
Andrew Nichols	M. E. Sparks	L. M. Weathers
J. H. Payne	Frank L. Strange	J. A. White

Mr. Robertson moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

The Chief Clerk laid before the House the following communication, viz.:

Richmond, Va., February 17, 1928.

House of Representatives of the General Assembly,
Commonwealth of Kentucky,
Frankfort, Kentucky.

Dear Sirs:

Please accept the sincere and heartfelt thanks of myself and family for the kind resolutions of sympathy passed by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, January 27, 1928, expressing your condolences in our great bereavement.

It is indeed a comfort to receive such an eloquent expression from those representing the State to which Mr. Wall was so loyally devoted, and I can assure you of our great appreciation. I know that Mr. Wall at all times had a very keen interest in his native State and an unfailing love for it.

Very sincerely,

LOUISE DEM. WALL.

The Speaker laid before the House the following communication, viz.:

Hon. John S. Milliken,
Frankfort, Kentucky.

Dear Speaker:

Enclosed you will find a list of Lobbyists registered in the office of the Attorney General for this session between February 13 and February 18, inclusive. This is furnished you in pursuance to a Resolution offered by Hon. J. G. Prather on January 18, 1928.

Yours very truly,
J. W. CAMMACK, *Attorney General.*

Said list of Lobbyists is as follows, viz.:

John M. Clifford, Louisville, interest of Modern Woodmen of America.

T. P. Middleton, Eminence, interest of Kentucky Power Company.

E. M. Griggs, Chicago, Illinois, interest of National Board of Fire Underwriters.

V. P. Whitsett, New York, N. Y., interest of Association of Life Insurance Pres.

Maurice L. Galvin, Covington, interest of Latonia Jockey Club.

L. E. Hodge, Danville, interest of Joint Legislative Commission on Conservation, Ky. Fox Hunters' Association, Ky. Game and Fish Association, Ky. Game and Fish Protective Association, Ky. Division Isaak Walton League.

Harris W. Coleman, Louisville, interest of Associated Industries of Louisville.

R. B. Weidenger, Nashville, Tenn., Association of American Manufacturers using premium advertising.

D. L. Hazelrigg, Frankfort, interest of American Medicinal Spirits Co.

Mr. Gnau moved that an indefinite leave of absence be granted to Mr. Klefot.

Said motion was agreed to.

Mr. Payne moved that an indefinite leave of absence be granted to Mr. Laughlin.

Said motion was agreed to.

Mr. Allen moved that the privileges of the floor be extended to Judge C. B. Wheeler.

Said motion was agreed to.

The Honorable J. D. Via, Representative elect from the First Legislative District embracing the Counties of Hickman and Fulton appeared before the bar of the House and took the oath of office as prescribed by the Constitution and Laws of the Commonwealth, which oath was administered by the Honorable John S. Milliken, Speaker of the House.

Mr. McClave offered the following resolution, viz.:

Whereas, Governors of the Commonwealth of Kentucky have not been furnished smokehouses for the purpose of storing their meat; and,

Whereas, they have no chicken house nor chicken yard in which to keep fowls; and,

Whereas, Governors heretofore have not been furnished first class sanitary dairy barns wherein to keep their cattle; and,

Whereas, said buildings would be a great convenience to their Excellencies, the Governors of this great Commonwealth of Kentucky; and,

Whereas, it will be necessary to fence the yards surrounding the barn and chicken house with woven wire of mesh sufficiently small that varmints cannot creep through and destroy the chickens and other fowls belonging to their Excellencies; now, therefore be it

Resolved by the House of Representatives in session that the sum of Twenty-five Thousand Dollars be appropriated for the purpose of erecting a first class smokehouse, first class chicken house, first class sanitary dairy barn and fencing the yards surrounding same by such wire as described above. Be it further

Resolved, that the importance of this legislation is such that an emergency is declared, and this resolution will become effective upon its passage.

All laws and parts of laws in conflict herewith are hereby repealed.

Which was referred to Committee on Tuberculosis.

Upon a call of the Counties and the Legislative Districts, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Duncan:

H. B. 624. An Act relating to revenue and taxation requiring an excise or license tax to be paid by any person, firm, corporation or association mining coal in this State, except persons mining coal on their own land for family use, and requiring any person, firm, corporation or association engaged in the business of mining coal in the State to pay said tax for the privilege of engaging in said business; providing for the distribution of 50 per cent of the tax so collected for the use

and benefit of the State Free Text Book Commission and also providing for the distribution of the balance of the tax so collected, the manner of collecting the tax, requiring reports and fixing fines and penalties for violation of the act.

To Committee on Revenue and Taxation.

By Mr. Alcock:

H. B. 625. An Act to amend and re-enact Section 495 of the Kentucky Statutes, 1915, Carroll's Edition, relating to the filing and recording of deeds and mortgages on real estate and to the filing, indexing and abstracting of instruments creating liens upon personal property.

To Committee on Kentucky Statutes.

By Mr. Fulton:

H. B. 626. An Act to amend Chapter 21 of the Acts of the General Assembly of 1908, relating to the pay of officers of election.

To Committee on Suffrage and Elections.

By same.

H. B. 627. An Act to provide for a progressive tax on transfers of direct and collateral inheritances; providing for the administration and enforcement of the provisions of said Act; making provision for the distribution of the funds derived therefrom; and repealing Chapter 111 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1924, approved March 26, 1924, and Chapter 176 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1926, approved March 19, 1926, relating to a progressive tax on transfers of direct and collateral inheritances.

To Committee on Revenue and Taxation No. 1.

By Mr. Carver:

H. B. 628. An Act to make a part of the primary road system a road leading from Project No. 19 at the head of Joels Branch at — Henderson's farm and leading by Carroll, Lockport and down the Kentucky River to a point opposite Gratz, Kentucky, on the Henry County side.

To Committee on Roads and Highways No. 2.

By Mr. Kemper:

H. B. 629. An Act to amend Section 4526c-4 of the Kentucky Statutes, Carroll's Edition of 1922, relating to the penalty for failing to send children to school.

To Committee on Education No. 1.

By Mr. Powell:

H. B. 630. An Act to reorganize County Judges and Justices of the Peace for holding trials in all misdemeanor cases.

To Committee on Kentucky Statutes.

By Mr. Creech:

H. B. 631. An Act to require all persons, companies or corporations writing indemnity or liability insurance to provide in all the policies issued by them in this State that in the event a judgment is recovered against the assured for damages covered by the policy, the insolvency or bankruptcy of the assured shall not relieve the insurer from the payment of the indemnity provided by the policy, but shall entitle the claimant to maintain an action against the insurer for the re-

covery of such indemnity; and to provide punishment for failure to comply with this act.

To Committee on Insurance, Fire and Marine.

By Mr. Via:

H. B. 632. An Act establishing a road as a part of the primary road system of the State of Kentucky, and being a primary road project beginning at a point in the Fulton and Mayfield road near Old Cypress; thence to Clinton, Hickman County, Kentucky, and to be known as Project No. —.

To Committee on Roads and Highways No. 3.

By same.

H. B. 633. An Act to establish as a part of the State Primary Road System a project leading from Pelo, Hickman County, Kentucky, via Fulgham of the Fulton and Metropolis road to Fulton in Fulton County, Kentucky, to be known as Project No. —.

To Committee on Roads and Highways No. 3.

By same:

H. B. 634. An Act establishing a road as a part of the Primary Road System of the State of Kentucky, and being a primary road project beginning at Clinton, Hickman County, Kentucky, thence to Moscow, thence to a point near Water Valley via Beelerton, intersecting with Project No. 54 at Water Valley, Kentucky, and to be known as Project No. —.

To Committee on Roads and Highways No. 3.

By Mr. Hargrove:

H. B. 635. An Act establishing as part of the Primary System of State Highways, a road beginning at State Project No. 69 at Symsonia in Graves County, Kentucky, to Eddyville, Kentucky.

To Committee on Roads and Highways No. 3.

By same:

H. B. 636. An Act to amend and re-enact Subsection c of Section 2739g-2, Kentucky Statutes, Baldwin's 1926 Supplement, being Chapter 87 of the Acts of the General Assembly of 1922, to provide a more uniform license fee for passenger automobiles.

To Committee on Motor Transportation.

By Mr. Mercer:

H. B. 637. An Act establishing as part of the Primary System of State Highways a road leading from Canmer in Hart County to a point in the Greensburg and Munfordville road near the James Moss place.

To Committee on Roads and Highways No. 3.

By Mr. Hagan:

H. B. 638. An Act relating to roads and highways and establishing and creating a Primary Road Project No. — extending from Old Stephensburg in Hardin County to a point in Hardin County at or near Franklin's Cross Roads.

To Committee on Roads and Highways No. 2.

By Mr. Hall:

H. B. 639. An Act to repeal, and to revise and re-enact An Act entitled "An Act designating electrocution as the means of inflicting the death sentence," approved March 21, 1910, amended by Act of March —, 1920, the same being now Sections 1137-1, 1137-2, 1137-3, 1137-4, 1137-5, 1137-6, 1137-7, 1137-8, 1137-9, and 1137-10, Carroll's Kentucky Statutes, 1922.

To Committee on Criminal Law.

By Mr. Gnau:

H. B. 640. An Act to prohibit the use of cigarettes by females in public places.

To Committee on Public Safety.

By Mr. Handmaker:

H. B. 641. An Act to regulate the carrying of dangerous and deadly weapons, authorizing the issual upon certain named conditions of a State license therefor, prohibiting any person not specifically excepted in the Act from carrying any such weapon without such State license, providing penalties for the violation of the provisions of said act, prescribing regulations for enforcement of same and repealing all laws or parts of laws in conflict therewith.

To Committee on Kentucky Statutes.

By Mr. Lewis:

H. B. 642. An Act empowering all Circuit Judges in Kentucky to hold a Court of Inquiry.

To Committee on Circuit Courts.

By Mr. Ryans:

H. B. 643. An Act providing for the resources, industries and attractions of Kentucky, to be given publicity and emphasized at the proposed annual holding of the National Convention of the American Legion in Kentucky in 1929, providing for the same to be handled under the direction of the Commissioner of Agriculture with the co-operation of the Kentucky Department of the American Legion, and making appropriation therefor.

To Committee on Agriculture.

By Mr. Ryans:

H. B. 644. An Act to amend and re-enact Section 1565b-18 Baldwin Law Book Company's 1918 Supplement to Carroll's Kentucky Statutes, 1915 Edition.

To Committee on Kentucky Statutes.

By Mr. Meyers:

H. B. 645. An Act to amend Section 2432 of the Kentucky Statutes and to authorize the State of Kentucky to furnish to certain Public Officials copies of the Indexes to the Land Grants and Entries of the Commonwealth.

To Committee on Kentucky Statutes.

By Mr. Jeter:

H. B. 646. An Act relating to Revenue and Taxation and providing that all unlocated or transitory rolling stock operated in this State, the owners of which have no domicile in

this State, shall be assessed by the State Tax Commission and taxed for State purposes only at the rate of \$1.50 per one hundred dollars valuation, provided that this act shall not apply to rolling stock already taxed for State, County and Municipal purposes.

To Committee on Revenue and Taxation No. 1.

By Mr. Holland:

H. B. 647. An Act relating to roads and highways describing and fixing a project to be added to the State Primary System of Roads and Highways, and repealing Chapters 201 and 280 of the Acts of the General Assembly of 1924.

To Committee on Roads and Highways No. 2.

By Mr. Bunger:

H. B. 648. An Act to establish as a part of the Primary System of State Highways a road beginning at a point in the Four Corners and Dixie Highway west of Rineyville, running northwest with the route of the Elizabethtown-Brandenburg road, intersecting the Vine Grove, Flaherty and Hog Wallow road at the town of Flaherty, to be designated as Project No. —.

To Committee on Roads and Highways No. 2.

By Mr. May:

H. B. 649. An Act giving teachers with ten years' teaching experience in a county the same basal salary as a high school graduate in such county without teaching experience.

To Committee on Education No. 1.

By same:

H. B. 650. An Act establishing as part of the Primary System of State Highways a road beginning at Dehart, Kentucky, thence via Yocum to Wrigley, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 651. An Act establishing as part of the Primary System of State Highways a road beginning on the Garrett Highway at Grassy Creek, thence via Rollie Cecil's residence and O. P. Carter's residence to Omer, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 652. An Act establishing as part of the Primary System of State Highways, a road from Garrett Highway beginning at Index on said highway, to Woodsbend, Kentucky.

To Committee on Roads and Highways No. 2.

By same:

H. B. 653. An Act establishing as part of the Primary System of State Highways, a road beginning at Garrett Highway at Ezel, thence via Omer and Elder to Kellacy, Kentucky.

To Committee on Roads and Highways No. 2.

By Mr. Holland:

H. B. 654. An Act relating to embalming, undertaking.

providing qualifications for persons engaged therein, amending Section 7-8 and 8a of Chapter 102 of the Session Acts of 1924, which Act was amendatory of Sections 7 and 8 of Chapter 88 of the Session Acts of 1914, and which latter was amendatory of Sections 7 and 8 of Chapter 80 of the session Acts of 1904, and which now appear in Kentucky Statutes, Carroll's Edition, 1922 (Supp.) as Sections 1599a-7, 1599a-8, 1599a-8a, respectively.

To Committee on Kentucky Statutes.

Mr. Jeter moved that the session of today be extended indefinitely.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills and a resolution which originated in that body, entitled:

1. S. B. 49. An Act requiring the employment of county road engineers in the several counties of the State of Kentucky; prescribing their duties, etc.
2. S. B. 170. An Act fixing the salary of Commissioner of Water Works in such cities of 2nd class, etc.
3. S. B. 201. An Act to amend Section 2948a-1, Kentucky Statutes, relating to municipal universities, etc.
4. S. B. 252. An Act to license and regulate the business of making loans by persons, co-partnerships, or corporations, etc.

Ordered that said bills be printed and referred:

1. To Committee on Roads and Highways No. 1.

2. To Committee on Cities of 2nd and 3rd Class.
3. To Committee on Cities of 1st Class.
4. To Committee on Cities of 2nd and 3rd Class.

The Committees to which the same had been referred, reported bills of the following titles, viz.:

By Mr. Lewis of the Committee on Circuit Courts:

H. B. 389. An Act to amend Chapter 29 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1924, and changing the time of holding Court in the 34th Judicial District, etc.

H. B. 551. An Act to amend and re-enact Section 1736 Kentucky Statutes, Carroll's Edition 1922, relating to fees.

H. B. 549. An Act to amend and re-enact Subsections a, b, and c of Section 4, Chapter 32 of the 1924 Session Acts of the General Assembly of the Commonwealth of Kentucky, relating to and fixing the time for holding court in the 36th Judicial District, etc.

H. B. 422. An Act to provide for the removal of a person or persons charged with serious crime or crimes and in custody of an officer, from a county where there exists threatened violence, etc.

By Mr. Bunger of the Committee on Constitutional Amendments:

S. B. 77. An Act providing for the taking of the sense of the people of the State as to the necessity and expediency of calling a convention for the purpose of revising or amending the Constitution of the Commonwealth, and such amend-

ments as may have been made to same as provided by Section 258 of the present Constitution of Kentucky.

By Mr. Furlong of the Committee on County and City Courts:

H. B. 532. An Act to amend Section 2 of an Act entitled "An Act relating to the creation of water districts in counties of the State, and providing for the establishment, construction, or purchase of a water system, for the purpose of furnishing water to the inhabitants thereof.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Mr. Lewis of the Committee on Circuit Courts, to which the same had been referred, reported a bill of the following title, viz.:

H. B. 224. An Act providing for a more efficient and perfect system of circuit courts in each county comprising the Circuit Court districts, etc.

And Mr. Furlong of the Committee on County and City Courts reported bills of the following titles, viz.:

H. B. 485. An Act to amend Section 2 of Chapter 173 by striking out the words "twelve cents" and adding the words "fifteen cents."

H. B. 545. An Act to amend and re-enact Section 4122 Kentucky Statutes, 1922 Edition, relating to the duties of the County Board of Supervisors.

With the expression of opinion that said last named three bills ought not to pass.

No motion having been made to advance said bills to a reading, the report of the Committee to the contrary notwithstanding, and no further action having been taken by the House on said bills, it was ordered that said bills be rejected.

The hour of 1:45 o'clock having arrived, that being the hour fixed for the Special Order of the Day, the House took up for consideration a bill entitled:

H. B. 558. An Act authorizing and empowering counties having a city of the 2nd class to purchase, construct and reconstruct bridges over or tunnels under any boundary line stream of this Commonwealth (including the Ohio River) and to negotiate, purchase or obtain suitable and necessary approaches thereto from or in an adjoining State or any subdivision thereof and any property from or in such adjoining State or subdivision thereof needed for the construction or support of such bridge or tunnel; and providing that such county or counties may issue and sell bonds for the purchase price or the cost of construction or reconstruction of such bridge or tunnel, including the approach thereto, as now provided by law for the issual and sale of bonds for the construction of roads, bridges and tunnels in this Commonwealth, and further providing that in lieu of levying a tax for retirement of such bonds, such county, in its discretion, hereby is empowered and authorized to charge and collect tolls for the use of such bridge or tunnel; and providing that all tolls collected therefor after payment of the necessary cost of collection and necessary cost of maintenance shall be paid to the county treasurer, to be kept in a separate fund and used solely for retiring said bonds and the interest thereon, and further providing that when said bonds and interest thereon have been fully retired or payment provided that said bridge or

tunnel shall become and be free of all toll charges and shall become and be a part of the Primary System of State Roads of this Commonwealth and maintained as such; and providing that nothing in this Act shall be construed as in any way impairing or abridging the powers of the State Highway Commission to purchase, construct or reconstruct any bridge as provided and authorized in the State Highway Toll Bridge Act which authorizes and empowers the State Highway Commission to purchase, construct or reconstruct bridges and charge tolls therefor, and further providing that all Acts or parts of Acts, except said State Highway Toll Bridge Act, which are in conflict herewith are to the extent of such conflict hereby repealed.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All counties in this Commonwealth having a city of the second class hereby are authorized and empowered to purchase, construct or reconstruct bridges over tunnels under any boundary line stream of this Commonwealth (including the Ohio River), and to negotiate, purchase or obtain by gift, devise or otherwise, suitable and necessary approaches thereto from an adjoining State or subdivision thereof and from any person, firm or corporation in such adjoining State or subdivision thereof, and the necessary property from or in such adjoining State or subdivision thereof needed for the construction or support of such bridge or tunnel or approach thereto.

§ 2. Any such county in this Commonwealth having a city of the second class may issue and sell bonds for the purchase price or the cost of construction or reconstruction of any bridge or tunnel, including the necessary approach thereto and the necessary property for the construction or support of such bridge or tunnel, as now provided by law for

the issual and sale of bonds for the construction of roads, bridges and tunnels in this Commonwealth.

§ 3. In lieu of levying a tax for the retirement of such bonds any such county, in its discretion, hereby is empowered and authorized to charge and collect tolls for the use of such bridge or tunnel, provided however, that all tolls collected therefor, after payment of the necessary cost of collection and the necessary cost of maintenance, shall be paid to the County Treasurer, to be kept in a separate fund and used solely for retiring said bonds and the interest thereon.

§ 4. When a sufficient amount of tolls have been collected from such bridge or tunnel, after payment of the cost of collection and necessary cost of maintenance thereof, to fully retire the bonds issued on account of the purchase, construction or reconstruction of such bridge or tunnel, it shall become and be free of all toll charges and shall become and be a part of the primary system of State roads of this Commonwealth, and maintained as such.

§ 5. Nothing in this Act shall be construed as in any wise impairing or abridging the power or authority of the State Highway Commission to purchase, construct or reconstruct bridges, as provided in the State Highway Toll Bridge Act, authorizing and empowering the State Highway Commission to purchase, construct or reconstruct bridges and fix and charge tolls for the use thereof; and, further providing that all Acts or parts of Acts in conflict herewith, except said State Highway Toll Bridge Act, hereby are repealed to the extent only of such conflict.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

J. Curtis Alcock	A. L. Hall	Harry J. Meyers
S. E. Anderson	John G. B. Hall	E. B. Miller
W. B. Ardery	T. W. Hardesty, Jr.	James H. Muse
W. O. Bach	Herman Handmaker	L. C. Nell
Walter J. Bailey	C. W. Hawkins	Andrew Nichols
A. J. Baldridge	Phillip Helf	J. H. Payne
W. O. Baxter	J. R. Hobbs	Levi W. Powell
T. H. Benton	J. S. Hollan	J. G. Prather
W. P. Bowman	H. B. Holland	W. H. Pryor
Thos. L. Britton	S. K. Holland	B. A. Robertson
W. G. Buckner	Ira L. Horn	C. W. Ryans
Sam P. Burnam	Josephus Howard	Charles Smith
E. L. Campbell	W. F. Hunter	Daniel Boone Smith
Chas. B. Carver	Lester Jeter	S. G. Smith
Harry Cochran	T. M. Johnson	M. E. Sparks
John Cooper	John C. Kemper	Frank L. Strange
W. M. Duncan	J. Porter Land	J. G. Swearingen
Thos. J. Dunn	Leon P. Lewis	Mac Swinford
J. O. Evans	Wm. McClave	J. B. Taylor
Virgil Eversole	J. L. McKnight	E. G. Thomas
J. C. Flener	Clark Macdonald	C. F. Thornton
Duke W. Fowler	J. L. Manning	P. H. Vincent
J. B. Furlong	Luther Morse	J. C. Watkins
F. A. Gnau	C. C. May	L. M. Weathers
R. C. Graham	Henry Meiman	J. A. White
E. L. Hagan	A. M. Mercer	

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Those who voted in the negative were—

A. L. Allen	W. J. Fisher	W. T. Green
J. R. Dorman		

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Resolved that the title thereof be as aforesaid.

Mr. Hardesty moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Jeter moved that the rules be suspended and that a bill entitled,

H. B. 17. An Act repealing Section 4399a-10, Article V, Chapter 113, of Carroll's 1922 Edition, Kentucky Statutes, title Schools, Common, and re-enacting the same with certain changes and modifications, making the office of County Superintendent of Schools an elective office, the County School Superintendent to be elected by the qualified voters of each county, prescribing his qualifications, the manner of his election, the recognition of a County Superintendent in a contest case, filling vacancies, if any should occur, fixing minimum salary and enumerating certain duties.

With an Amendment thereto by way of Substitute therefor, be taken from the Clerk's desk for immediate consideration.

Said motion was agreed to.

Thereupon the House took up for consideration from the Clerk's desk the aforesaid bill, together with the Substitute.

Said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4399a-10 of Article V, Chapter 113, of Carroll's 1922 edition of Kentucky Statutes, be and the same is hereby repealed and that there be enacted in lieu thereof the following:

§ 2. At the regular November election in 1929 and every four years thereafter, a county school superintendent of schools shall be elected by the qualified voters of each county, and shall hold his office for four years from the first

Monday in January following his election or until the election and qualification of his successor. The County Superintendent shall be elected and the vote canvassed and the result certified by the same officers, and in the same manner as in the elections of other county officers and within ten days after the election the clerk of the county court shall forward a copy of the certificate of election to the Superintendent of Public Instruction. In case of a controverted right to the office of County School Superintendent, the Superintendent of Public Instruction shall have power to recognize a superintendent from among the contestants, until the case has been settled.

All legal voters residing in each county, except residents of the cities of the first, second and third class, shall have the right to vote in the election. Any person shall be eligible to the office of County Superintendent of Schools who is at the time of the election twenty-five (25) years of age, a citizen of Kentucky, and who has resided in the state one (1) year, next preceding his election, and who is a High School Graduate or who holds a first class teacher's certificate, and has actually been engaged in teaching for a period of not less than five (5) years. To entitle a person to have their names placed on the ballots as a candidate for the office of County Superintendent, he shall, not less than 45 nor more than 75 days before the regular election day of November, file with the county court clerk, a verified statement setting out the fact that he is possessed of one or more qualifications as prescribed in this act and shall at the same time file a petition with the county court clerk, signed by not less than one hundred petitioners; the signatures of said petitioners need not be appended to one petition, but no petitioner shall be counted except his residence and post office address be designated; such petition shall state the name and residence of each of such candidates; that he is legally qualified to hold such office; that the subscribers desire and are legally qualified to vote for such candidate for the office of County School Superintendent. All elections for County School Superintendent shall

be held on the regular election day in November, and shall be at the regular voting place in each precinct in each county, and shall be by secret and separate ballot. Said election shall be conducted by the same officers who conduct the regular November election, and except where otherwise provided by law, such elections in all particulars shall be conducted in the same manner as other elections.

It shall be the duty of the county court clerk to cause to be printed on the ballots used for the election of County School Superintendent the names of all candidates in whose behalf he may be petitioned to do so. It shall be his duty to prepare a separate ballot for each school election, which ballot shall be in form prescribed by the general election law of the state except that no party emblem or device or distinguishing mark of any character shall be placed on said ballot save the words, "SCHOOL TICKET" at the head thereof and such directions as will aid the elector; the names shall be printed across the top and on a line parallel with each other. Immediately on the right of each name shall be placed a small square large enough to contain the cross mark by which the voter is required to designate his vote; underneath the name of each candidate shall be left a blank space large enough to contain a name with a square at the right of it. The ballots cast at said election shall be deposited in a separate ballot box, furnished for the purpose, by the sheriff of the county. The election officers will make out for said election a separate tally sheet and certificate shall be returned and candidates as now provided by law in other general elections, provided that all County School Superintendents holding office at the time that this act shall take effect, shall continue to serve to the end of the term for which they were originally appointed and the county board of education shall appoint a County School Superintendent to serve until their successors are elected and qualified under the provisions of this act.

The County Superintendent of School shall devote his entire time to the public school business and shall receive

such compensation as the County Board of Education shall direct to be paid from the county school fund in monthly installments, provided that no County School Superintendent elected under the provisions of this act shall be paid a salary of less than \$1,200.00 per year.

In case of vacancy due to any cause the County Board of Education shall appoint some qualified person to fill the vacancy, provided, however, that an election shall be held to fill the unexpired term at the next succeeding annual election which does not come less than three (3) months from the time said vacancy occurs.

The County Superintendent of Schools shall be the executive officer of the County Board of Education, shall see that the laws relating to the schools, the by-laws, rules and regulations of the State Board of Education, and regulations and policies of the County Board of Education are carried into effect. The County Superintendent of Schools shall recommend for condemnation, school buildings which are unsanitary and unfit for use. He shall recommend for repairs, and purchase of ground, school sites and grounds, the sale of the same, and shall cause to be prepared all plans and specifications for remodeling of old buildings, provided that the plans and specifications for any and all buildings to be erected in said county shall be submitted to the State Superintendent of Public Instruction or his agent for approval. The County Superintendent shall in writing all contracts of any kind, entered into by the County Board of Education, and no such contract shall be valid without such approval. He shall be the representative of the State Superintendent of Public Instruction in all examinations for Teachers' Certificates, conducted within the county and shall perform such duties connected therewith as required by law.

All laws and parts of laws in conflict herewith are hereby repealed.

Said Substitute is as follows, viz.:

An Act repealing ection 4399a-10, Article V, Chapter 113, of Carroll's 1922 Edition, Kentucky Statutes, title Schools, Common, and re-enacting the same with certain changes and modifications, making the office of County Superintendent of schools an elective office, the County School Superintendent to be elected by the qualified voters of each county, prescribing his qualifications, the manner of his election, the recognition of a County Superintendent in a contest case, filling vacancies, if any should occur, fixing salary and enumerating certain duties.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4399a-10 of Article V, Chapter 113, of Carroll's 1922 Edition of Kentucky Statutes, be and the same is hereby repealed and that there be enacted in lieu thereof the following:

At the regular November election in 1929 and every four years thereafter, a county school superintendent of schools shall be elected by the qualified voters of each county, and shall hold his office for four years from the first Monday in January following his election or until the election and qualification of his successor. The County Superintendent shall be elected and the vote canvassed and the result certified by the same officers, and in the same manner as in the election of other county officers, and within ten days after the election the clerk of the county court shall forward a copy of the certificate of election to the Superintendent of Public Instruction. In case of a controverted right to the office of County School Superintendent, the Superintendent of Public Instruction shall have power to recognize a superintendent from among the contestants, until the case has been settled.

All legal voters residing in each county, except residents of the cities of the first, second and third class, shall have the right to vote in the election. Any person shall be eligible to

the office of County Superintendent of Schools who is at the time of the election twenty-five (25) years of age, a citizen of Kentucky, of good moral character, and who has actually resided in the state one (1) year, next preceding his election, and who is qualified as to academic and professional training, and experience in school work as is now required by law. To entitle a person to have his name placed on the ballots as a candidate for the office of County Superintendent, he shall, not less than 45 nor more than 75 days before the regular election of November, file with the county court clerk, a certificate of eligibility for holding the office of County Superintendent of Schools from the State Department of Education as prescribed in this act and shall at the same time file a petition with the county court clerk, signed by not less than one hundred petitioners; the signatures of said petitioners need not be appended to one petition but no petitioner shall be counted except his residence and post office address be designated. No petitioner shall be counted on any petition who signs more than one petition. Such petition shall state the name and residence of each of such candidates; that he is legally qualified to hold such office; that the subscribers desire and are legally qualified to vote for such candidate for the office of County Superintendent. All elections for County School Superintendent shall be held on the regular election day in November, and shall be at the regular voting place, in each precinct in each county and shall be by secret and separate ballot. Said election shall be conducted by the same officers who conduct the regular November election, and except where otherwise provided by law, such elections in all particulars shall be conducted in the same manner as other elections.

It shall be the duty of the county court clerk to cause to be printed on the ballots used for the election of County School Superintendent the name of all candidates in whose behalf he may be petitioned to do so. It shall be his duty to prepare a separate ballot for each school election, which bal-

lot shall be in form prescribed by the general election laws of the state except that no party emblem or device or distinguishing mark of any character shall be placed on said ballot save the words "SCHOOL TICKET" at the head thereof and such directions as will aid the elector; the names shall be printed across the top and on a line parallel with each other. Immediately on the right of each name shall be placed a small square large enough to contain the cross mark by which the voter is required to designate his vote. The ballots cast at said election shall be deposited in a separate ballot box, furnished for the purpose, by the sheriff of the county. The election officers will make out for said election a separate tally sheet and certificate which shall be returned and canvassed as now provided by law in other general elections, provided that all County School Superintendents holding office at the time that this act shall take effect, shall continue to serve to the end of the term for which they were originally appointed and the county board of education shall appoint a County School Superintendent to serve until their successors are elected and qualified under the provisions of this act.

The County Superintendent of Schools shall devote his entire time to the public school business and shall receive for his services such compensation as the County Board of Education shall allow, same to be paid out of the ordinary school fund. Said salary shall be paid in regular monthly installments and no County Superintendent of Schools shall receive less than twelve hundred dollars (\$1,200) a year.

In case of vacancy due to any cause the County Board of Education shall appoint some qualified person to fill the vacancy, provided, however, that an election shall be held to fill the unexpired term at the next succeeding annual election which does not come less than three (3) months from the time said vacancy occurs.

The County Superintendent of Schools shall be the executive officer of the County Board of Education, shall see that the laws relating to the schools, the by-laws, rules and regu-

lations of the State Board of Education, and regulations and policies of the County Board of Education, are carried into effect. The County Superintendent of Schools shall have general supervision over the schools of the county district and over the independent graded schools of his County. The County Superintendent of Schools shall recommend for condemnation, school buildings which are unsanitary and unfit for use. He shall recommend for repairs, and purchase of ground, school sites and grounds, the sale of the same, and shall cause to be prepared all plans and specifications for remodeling of old buildings, provided that the plans and specifications for any and all buildings to be erected in said county shall be submitted to the State Superintendent of Public Instruction or his agent for approval. The County Superintendent shall in writing, all contracts, of any kind, entered into by the County Board of Education, and no such contract shall be valid without such approval. He shall be the representative of the State Superintendent of Public Instruction in all examinations for Teachers' Certificates, conducted within the county and shall perform such duties connected therewith as required by law.

All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Prather offered the following Amendment to said Substitute, viz.:

Amend Substitute to H. B. 17 beginning with "and" in line 22 by striking out all words to end of sentence and insert in lieu thereof the following: "and who has completed a four-year standard college course, one hundred and twenty semester hours of work, twelve semester hours of which shall be in courses in public school administration and supervision; and who has had five years' actual experience in classroom teaching or public school administration; no equivalents for academic or professional training shall be substituted by certifying authorities."

Mr. Evans moved that said Amendment as offered by Mr. Prather be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Evans and Prather, were as follows, viz.:

Those who voted in the affirmative were—

W. B. Ardery	Duke W. Fowler	Leon P. Lewis
W. P. Bowman	J. B. Furlong	Clark Macdonald
W. G. Buckner	F. A. Gnau	Henry Meiman
S. J. Bunger	E. L. Hagan	A. M. Mercer
E. L. Campbell	John G. B. Hall	E. B. Miller
Chas. B. Carver	T. W. Hardesty; Jr.	L. P. Murphy
Harry Cochran	C. W. Hawkins	B. A. Robertson
C. B. Crossland	Phillip Helf	Frank L. Strange
D. E. Edwards	J. S. Hollan	Mac Swinford
J. W. Edwards	H. B. Holland	P. H. Vincent
J. O. Evans	Ira L. Horn	L. M. Weathers
W. J. Fisher	J. Porter Land	J. A. White

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Those who voted in the negative were—

J. Curtis Alcock	Thos. J. Dunn	Lester Jeter
A. L. Allen	Virgil Eversole	T. M. Johnson
S. E. Anderson	Chas. H. Fair	Wm. McClave
W. O. Bach	J. C. Flener	J. L. McKnight
Walter J. Bailey	Chas. B. Fulton	Wm. McRohan
A. J. Baldridge	W. T. Green	J. L. Manning
W. O. Baxter	A. L. Hall	Luther Morse
T. H. Benton	Brooks L. Hargrove	C. C. May
Thos. L. Britton	J. R. Hobbs	Harry J. Meyers
Sam P. Burnam	S. K. Holland	James H. Muse
John Cooper	Robt. L. Horn	L. C. Nell
E. J. Doss	Josephus Howard	Andrew Nichols
W. M. Duncan	W. F. Hunter	J. H. Payne

Levi W. Powell	Daniel Boone Smith	E. G. Thomas
J. G. Prather	S. G. Smith	C. F. Thornton
W. H. Pryor	M. E. Sparks	J. D. Via
C. W. Ryans	J. G. Swearingen	
Charles Smith	J. B. Taylor	

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Said Amendment was then disagreed to.

Mr. Doss offered the following Amendment to said bill.
viz.:

Amend the Substitute for H. B. 17 by striking from line 18 on page 2 of the printed bill the word “and” after the word “second” and inserting in the same line after the word “third” the words “and fourth” in the same line and by adding after the word “class” the words “and school districts having within their boundaries cities of the fourth class.

Said Amendment was agreed to.

Mr. White offered the following Amendment to said Substitute, viz.:

Amend Substitute for H. B. 17 by striking out the following words in line 18 “of the first, second, third and fourth class” and substituting therefor “and graded common school districts maintaining a system of schools independent of the county school system.

Said Amendment was disagreed to.

Mr. Dorman offered the following Amendment to said Substitute, viz.:

“Amend the Substitute for H. B. 17 by adding at the end thereof the following: Provided, however, that the provisions

of this Act shall not apply to counties where the County Superintendent is also the Superintendent of the City Schools."

Said Amendment was disagreed to.

Mr. Nichols offered the following Amendments to said Substitute, viz.:

1. Amend Substitute for H. B. 17 on page 4, lines 83 and 84 by striking therefrom the words "and over the independent graded schools of his county."

2. Amend Substitute for H. B. 17 in lines 22, 23, 24 beginning at word "and" in line 22 and striking out remainder of sentence and inserting in lieu thereof the words "and who is a graduate of a recognized college or normal school having a full four years' course, and who has had two years' actual teaching experience and who is qualified in a business way."

Mr. Crossland moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.
